(*b*) "chloramphenicol" means the antimicrobial alcohol *D*(-)-*threo*-2-dichloroacetamido-1-*p*-nitrophenyl-propane-1 : 3-diol produced by *Streptomyces venezuelae*, and includes any antimicrobial compound derived therefrom (including homologous, substituted and esterified compounds) and any substance the chemical and biological properties of which are identical with or similar to those of any of the aforesaid substances but which is not produced by living organisms.

(3) The properties referred to in sub-paragraph (*a*) of the foregoing paragraph are :—

(*a*) the substance is a yellow crystalline compound containing nitrogen and non-ionic chlorine ;

(*b*) the substance, in the form of a buffered solution having a pH value of 7.5, develops a blue fluorescence, and on heating with hydrochloric acid turns yellow.

H. A. Marquand,
Minister of Health.

Hector McNeil,
Secretary of State for Scotland.

Dehra Parker,
Minister of Health and Local Government for Northern Ireland.

21st May, 1951.

EXPLANATORY NOTE

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

These regulations bring aureomycin and chloramphenicol within the scope of the Penicillin Act, 1947, which controls the sale and supply of the substances to which it applies.

TITHE, ENGLAND

The Corn Rent Annuities (Apportionment and Redemption) Rules, 1951

1951 No. 1535

Made - - - -	20*th August*, 1951
Laid before Parliament	21*st August*, 1951
Coming into Operation	1*st September*, 1951

By virtue and in exercise of the powers conferred by subsection (4) of Section 10 of the Tithe Act, 1951(**a**), the Tithe Redemption Commission hereby make these Rules to prescribe the procedure to be followed in connection with the apportionment and redemption of corn rent annuities as hereinafter defined, and the manner in which costs are to be borne by the respective parties to proceedings in connection therewith.

1. These Rules may be cited as the Corn Rent Annuities (Apportionment and Redemption) Rules, 1951, and shall come into operation on the first day of September, 1951.

(a) 14 & 15 Geo. 6. c. 62.

2. In these Rules:

"the Commission" means the Tithe Redemption Commission;

"corn rent annuity" means an annuity charged on land for the redemption of tithe rentcharge or of a corn rent, rentcharge or money payment redeemed under the Tithe Acts, 1836 to 1936(**a**);

"applicant" includes a person making a requisition.

3.—(1) A requisition under the provisions of Section 191 of the Law of Property Act, 1925(**b**), for a certificate of the amount of money in consideration whereof a corn rent annuity may be redeemed shall be made in the Form A set forth in the Schedule hereto or to the like effect.

(2) An application under the provisions of subsection (7) of Section 191 of the Law of Property Act, 1925, for the apportionment of a corn rent annuity and for the redemption of part thereof shall be made in the Form B set forth in the said Schedule or to the like effect.

(3) An application under the provisions of the Tithe Annuities Apportionment Act, 1921(**c**), or of Section 192 of the Law of Property Act, 1925, for the apportionment of a corn rent annuity may be made in the Form C set forth in the said Schedule or to the like effect.

(4) Each such requisition or application as aforesaid shall be accompanied by the details specified in the Form D set forth in the said Schedule or to the like effect.

(5) Any person interested in a corn rent annuity who applies that, as a condition of making an Order of Apportionment of that corn rent annuity, the Commission shall require that any apportioned part of the annuity which does not exceed £2 shall be redeemed forthwith shall make his application in the Form E set forth in the said Schedule or to the like effect.

4.—(1) Any person requiring the Commission under Section 191 of the Law of Property Act, 1925, to certify the amount of money in consideration whereof a corn rent annuity may be redeemed shall serve a copy of his requisition on the persons interested in or entitled to the annuity.

(2) Any person applying to the Commission under any of the before mentioned statutory provisions for an apportionment of a corn rent annuity shall serve a copy of his application on the person entitled to or interested in the annuity, and on each person, other than the applicant, who is interested in the land on which the annuity is charged or in any part of such land.

(3) A copy of a requisition or application by these Rules required to be served on any person shall be sufficiently served if it is served in accordance with the provisions of subsection (1) of Section 42 of the Tithe Act, 1936, or by such other mode of service as the Commission may direct.

5. For the purposes of any proceedings for, or relating to, the redemption of a corn rent annuity, the Commission may accept as sufficient evidence of the title to the annuity a statutory declaration by the person in receipt of the annuity or his solicitor, stating—

(i) the nature and extent of such person's estate and interest in the annuity;

(ii) the date and short particulars of the instrument under which his estate or interest is derived;

(iii) the names and addresses of the trustees, if any, under such instrument; and

(**a**) 6 & 7 Will. 4. c. 71. to 26 Geo. 5. & 1 Edw. 8. c. 43. (**b**) 15 & 16 Geo. 5. c. 20.
(**c**) 11 & 12 Geo. 5. c. 20.

(iv) whether there are any other interests affecting the annuity and, if so, the nature of them and how they arise:

Provided that the Commission if they deem it expedient may accept a statement in writing by some person in lieu of such a statutory declaration.

6. The costs of proceedings for the redemption or apportionment of a corn rent annuity under the statutory provisions referred to shall be borne by the applicant therefor, unless the Commission consider that the conduct of any other party has been unreasonable or that any other party has unreasonably refused a proposal made by such applicant, or unless the circumstances of the case are, in the opinion of the Commission, exceptional, in any of which cases the Commission may give such direction as to the payment of the whole or any part of the costs as they may consider just.

In witness whereof the Official Seal of the Tithe Redemption Commission is hereunto affixed this 20th day of August, 1951.

(L.S.) *H. G. Richardson,*
Secretary to the Commission.

SCHEDULE

FORM A

REDEMPTION UNDER SECTION 191 OF THE LAW OF PROPERTY ACT, 1925, OF A CORN RENT ANNUITY

Requisition by owner of land or a person interested therein(i)

WHEREAS by an Order(ii) dated the day of [and by a Certificate or an Order of Apportionment dated the day of] the land set forth in the Schedule hereto is charged with the corn rent annuity the amount whereof is specified therein opposite such land:

Now I, *(Name)* , being the owner of the said land, or a person interested therein, do hereby require the Tithe Redemption Commission to certify the amount of money in consideration whereof the said annuity may be redeemed.

Dated this day of .

(To be signed by the person making the requisition, his Solicitor or duly authorised agent.)

SCHEDULE (TO FORM A)

Parish:— County:—

Short description of land charged (iii)	Amount of Annuity	Dates of Orders etc. (ii)
	£ s. d.	

Notes

(i) The form must be adapted if more annuities than one are concerned.

(ii) Every corn rent annuity must have been created by an Order under the Tithe Act, 1918 (a), as amended; and it may have been apportioned by one or more Certificates or Orders of Apportionment. The dates of these documents should be given in the third column of the Schedule.

(iii) If the annuity was created for the redemption of tithe rentcharge the reference numbers should be given of the tithe areas as shown on the Tithe Map or Altered Apportionment Map.

(a) 8 & 9 Geo. 5. c. 54.

FORM B

APPORTIONMENT OF A CORN RENT ANNUITY UNDER SUBSECTION (7) OF SECTION 191 OF THE LAW OF PROPERTY ACT, 1925, AND REDEMPTION OF APPORTIONED PART

Application by a person interested in the whole or a part of the land charged

WHEREAS by an Order(i) dated the day of (and by a Certificate or an Order of Apportionment dated the day of) the land described in the First Schedule hereto is charged with the corn rent annuity the amount whereof is specified therein opposite such land:

AND WHEREAS I, *(Name)* , being interested in the whole or a part of the said land, desire to effect a discharge of that part of it which is described in the Second Schedule hereto:

AND WHEREAS the remainder of the land is not exonerated or indemnified from the said annuity by means of a charge on the aforesaid part:

Now I do hereby apply to the Tithe Redemption Commission—

(*a*) to apportion by a certificate the said corn rent annuity in accordance with the provisions of subsection (7) of Section 191 of the Law of Property Act, 1925, between the part of the land described in the Second Schedule hereto and the remainder of the land on which the said annuity is charged; and

(*b*) to certify in accordance with the provisions of Section 191 aforesaid the amount of money in consideration whereof the part of the said annuity to be apportioned on the land described in the Second Schedule hereto may be redeemed.

Dated this day of .

(To be signed by the landowner, his Solicitor or duly authorised agent.)

FIRST SCHEDULE (TO FORM B)

Parish:— County:—

Short description of land charged (ii)	Quantities	Annuity payable to:—		Dates of Orders etc. (i)
	a. r. p.	£ s. d.	£ s. d.	

SECOND SCHEDULE (TO FORM B)

Short description of land proposed to be discharged from the annuity, stating quantity—

Description (ii)	Quantities
	a. r. p.

Notes

(i) Each annuity must have been created by an Order under the Tithe Act, 1918, as amended; and it may have been apportioned by a Certificate or Order of Apportionment. The dates of these documents should be given in the last column of the First Schedule.

(ii) If the annuity was created for the redemption of tithe rentcharge the reference numbers should be given of the tithe areas as shown on the Tithe Map or Altered Apportionment Map.

FORM C

APPORTIONMENT OF A CORN RENT ANNUITY UNDER THE TITHE ANNUITIES APPORTIONMENT ACT, 1921, OR SECTION 192 OF THE LAW OF PROPERTY ACT, 1925.

Application by a person interested(i) *in the whole or part of the land on which the annuity is charged*

WHEREAS by an Order(ii) dated the day of [and by a Certificate or Order of Apportionment dated the day of] the land set forth in the First Schedule hereto is charged with the annuity the amount whereof is specified therein opposite such land:

AND WHEREAS I, *(Name)* , of am now interested(i) according to the provisions of the Inclosure Acts, 1845 to 1882, in part of the said land:

AND WHEREAS I desire that the said annuity shall be apportioned in such manner that a separate annuity may be charged upon each parcel of land described in the Second Schedule hereto:

Now I do hereby apply to the Tithe Redemption Commission to apportion the said annuity under the provisions of the Tithe Annuities Apportionment Act, 1921, or of Section 192 of the Law of Property Act, 1925, amongst the lands charged therewith.

Dated this day of .

(To be signed by the Applicant, or his Solicitor or duly authorised agent.)

FIRST SCHEDULE (TO FORM C)

Parish:— County:—

Description of land (iii)	Quantity	Annuity payable to:—		Dates of Orders etc. (ii)
	a. r. p.	£ s. d.	£ s. d.	

SECOND SCHEDULE (TO FORM C)

Lands upon which it is desired that separate annuities should be charged

Description of each parcel of land (iii)	Quantity	Landowner
	a. r. p.	

Notes

(i) " Person interested " means, with certain exceptions, the person in actual possession or receipt of the rents and profits of the lands (Inclosure Act, 1845, Section 16).

(ii) Each annuity must have been created by an Order under the Tithe Act, 1918, as amended; and it may have been apportioned by a Certificate or Order of Apportionment. The dates of these documents should be given in the last column of the First Schedule.

(iii) If the annuity was created for the redemption of tithe rentcharge the reference numbers should be given of the tithe areas as shown on the Tithe Map or Altered Apportionment Map.

FORM D

Details to accompany each requisition or application made under paragraph (1), (2) *or* (3) *of Rule* 3

(These may be supplied either by entries in the right hand side of the Form or on separate paper.)

1. Full name and address of the applicant.
2. Is the applicant the owner of the whole or of part only of the land charged? What is his estate or interest?
3. Is he in possession of the whole or of what part of the land?

4. The names and addresses of the other persons (if any) interested in the land or in any part thereof.

5. The period for which the annuity is payable and the date on which it terminates.

6. The dates, yearly or half-yearly, on which the annuity is payable.

7. The date up to which the annuity has been paid and by whom.

8. The name and address of the person—

(*a*) entitled to the annuity; and

(*b*) to whom it is usually paid.

9. Has a copy of this requisition or application been served in accordance with Rule 4 on the persons entitled to the annuity and on each person (other than the applicant) who is interested in the land upon which the annuity is charged or any part of such land?

The names and addresses of the persons on whom such copies have been served should be given.

(*The particulars which follow are required only in respect of an application for apportionment in Form B or Form C, in accordance with paragraph* (2) *or* (3) *of Rule* 3)

10. Have all the persons interested in the land agreed as to what amounts should be apportioned upon the several parts thereof? If so, state the amounts and the basis upon which they have been calculated.

11. If all the persons interested in the land have not so agreed, the following questions should, if possible, be answered:—

(*a*) Has the annuity been paid continuously by one only of the persons interested in the land?

(*b*) If so, what is the name and address of that person? Is it known why such continuous payment was made by him?

(*c*) Was any part of the land sold in plots subject to the condition that the annuity should be borne by any particular plot or plots, and the remainder exonerated? If so, particulars should be given.

(*d*) If the sale was not made subject to any such condition, what was the amount of the purchase price of each of the plots?

(*e*) Have the persons interested in the land made any other arrangements between themselves relative to the payment of the annuity?

12. If it is desired to apportion the annuity and to discharge a part of the land from an apportioned part of the annuity will the remainder of the land afford sufficient security for the payment of the remainder of the annuity? The estimated rental values of the different parts should be given.

13. Particulars should be given of any arrangement for an apportionment which is binding on the owner of the annuity.

14. A plan, preferably on a $\frac{1}{2500}$ scale Ordnance Sheet, on which the boundaries of the land subject to the annuity and of the separate parcels amongst which it is desired to apportion the annuity are defined by an edging of colour, should be furnished, except where the lands can otherwise be clearly identified by reference to documents available to the Commission.

Dated this day of .

(*To be signed by the Applicant, his Solicitor or duly authorised agent.*)

FORM E

Application by person interested in a corn rent annuity that any apportioned part thereof not exceeding £2 shall be required by the Tithe Redemption Commission to be redeemed as a condition of the apportionment.

WHEREAS an application has been made to the Tithe Redemption Commission by the owner of or a person interested in the land charged for an apportionment of the corn rent annuity of which short particulars are given in the Schedule hereto:

AND WHEREAS I, *(Name)* , of *(Address)* , am a person interested in the said corn rent annuity:

Now I hereby apply to the Tithe Redemption Commission that, as a condition of making an Order for such an apportionment, they shall require that any apportioned part of the annuity which does not exceed £2 shall be redeemed forthwith.

Dated this day of .

(To be signed by the applicant, his Solicitor or duly authorised agent.)

Schedule *(to Form E)*

Parish:— County:—

Amount of annuity sought to be apportioned	.....
Name and address of person applying for apportionment	.....
	.....
	.....
Short description of land proposed to be charged by the apportionment with an annuity of £2 or less ...	.....
	.....
Amount of annuity proposed to be charged thereon	.....

EXPLANATORY NOTE

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

By subsection (4) of Section 10 of the Tithe Act, 1951, the functions of the Minister of Agriculture and Fisheries in relation to the redemption and apportionment of certain annuities (in the Rules compendiously referred to as "corn rent annuities") charged on land for the redemption of tithe rentcharge, corn rents or money payments in lieu of tithe are transferred to the Tithe Redemption Commission. These annuities are all of recent origin, having been created under the Tithe Act, 1918, or under that Act as amended or applied by later enactments including Section 30 (1) of the Tithe Act, 1936. The present Rules prescribe the procedure to be followed in connection with the redemption and apportionment of them, and the manner in which the costs are to be borne. The fees payable to the Commission in connection therewith are prescribed by the Tithe Fees Rules, 1951 (S.I. 1951 No. 1534).

The annuities affected are private property and are distinct from redemption annuities charged in respect of land and payable to the Crown by virtue of the Tithe Act, 1936.