1964 No. 417

LAND DRAINAGE AND IMPROVEMENT OF LAND

The General Drainage Charge (Ascertainment) Regulations 1964

Made - - - -	*17th March* 1964
Laid before the Commons House of Parliament	*23rd March* 1964
Coming into Operation	*1st April* 1964

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 2 of the Land Drainage Act 1961(a) and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation and Commencement

1. These regulations may be cited as the General Drainage Charge (Ascertainment) Regulations 1964 and shall come into operation on the 1st April 1964.

Interpretation

2.—(1) For the purposes of these regulations the precept rate of a river board for any year shall be taken to be the amount per pound (of rateable value) at which a rate levied for that year on so much of the areas of county boroughs and county districts wholly or partly within the river board area as is within that area would have produced the amount for which precepts are issued in that year by the river board under section 10 of the River Boards Act 1948(b).

(2) The provisions of these regulations shall apply to the Conservators of the River Thames and to the Lee Conservancy Catchment Board as if they were river boards and their catchment areas were river board areas, subject to the modification that for the reference to section 10 of the River Boards Act 1948 there shall be substituted a reference to section 22 of the Land Drainage Act 1930(c).

(3) The Interpretation Act 1889(d) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Application of Regulations

3. These regulations shall apply to any general drainage charge raised for any year beginning after the 31st March 1964 and ending before the 1st April 1968.

Ascertainment of amount of general drainage charge

4.—(1) The subsequent provisions of this regulation shall have effect for the purpose of ascertaining the amount per pound of annual value at which a river board may raise a general drainage charge for any year mentioned in the last preceding regulation.

(a) 9 & 10 Eliz. 2. c. 48.
(b) 11 & 12 Geo. 6. c. 32.
(c) 20 & 21 Geo. 5. c. 44.
(d) 52 & 53 Vict. c. 63.

(2) Subject to the provisions of paragraph (3) of this regulation, the said amount shall be four times the precept rate of the river board for that year (a proportion which secures that the amount of the drainage charge will be such as appears to the Minister of Agriculture, Fisheries and Food to be as nearly as practicable equivalent to that precept rate).

(3) Where the amount per pound of annual value ascertained in accordance with paragraph (2) of this regulation would, apart from this paragraph, be or include a fraction of a penny, the fraction shall :—

(*a*) if one farthing or less, be disregarded ;

(*b*) if greater than one farthing but less than three farthings, be treated as one halfpenny ;

(*c*) if three farthings or more, be treated as one penny.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th March 1964.

(L.S.) *Christopher Soames,*
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

The General Drainage Charge (Ascertainment) Regulations 1963, S.I. 1963/285 (1963 I, p. 237) provided for the ascertainment of the amount per pound of annual value at which a river board might raise a general drainage charge for the year ending on the 31st March 1964. These regulations serve a similar purpose in respect of general drainage charges raised for any of the four years immediately following that date.