STATUTORY INSTRUMENTS

1963 No. 1094

LAND SETTLEMENT, IRELAND

The Irish Sailors and Soldiers Land Trust Regulations 1963

Made - - - -	12*th June* 1963
Coming into Operation	20*th June* 1963

The Treasury, in exercise of the powers conferred upon them by subsections (3) and (5) of section 3 of the Irish Free State (Consequential Provisions) Act 1922 (Session 2)(a) and of all other powers enabling them in that behalf, hereby make the following regulations:—

1. The Chairman of the Irish Sailors and Soldiers Land Trust (hereafter in these regulations referred to as " the Trust ") shall be appointed by the Secretary of State.

2.—(1) The Trust may act notwithstanding a vacancy among its members.

(2) The quorum of the Trust shall be three, of whom one shall be the Chairman or in the unavoidable absence of the Chairman from any meeting a member of the Trust appointed by the Secretary of State to act as Chairman of the meeting.

(3) Subject to the preceding provisions of this regulation, the Trust may regulate their own procedure.

3. The Trust may appoint a Secretary and such other officers and servants as they may determine, and any such appointments shall be made on such terms as the Trust may determine.

4. The application of the seal of the Trust shall be authenticated by the signatures of one member of the Trust and of the Secretary or some person authorised by the Chairman to act in his stead in that behalf.

5. The Trust may pay out of the funds at their disposal such expenditure on account of travelling, office accommodation, and other matters incidental to their duties, as they may from time to time determine:

Provided that no salary, honorarium or other remuneration shall be payable to any member of the Trust out of such funds.

6.—(1) The Trust may charge the funds at their disposal with such expenditure as they find it necessary to incur in the execution of their functions under section 4 of the Irish Land (Provision for Sailors and Soldiers) Act 1919(b) and section 3 of the Irish Free State (Consequential Provisions) Act 1922 (Session 2).

(2) The Trust may, if they think fit, make arrangements with any Ministers of the Government of the Republic of Ireland or of the Government of Northern Ireland whereby such Ministers (hereinafter called " the Agents ") shall act as their Agents, and may delegate to the Agents all or any of the powers or duties exercisable by them, and may at any time at their discretion withdraw, modify or amend such delegation:

(a) 13 Geo. 5 (Session 2) c. 2. (b) 9 & 10 Geo. 5. c. 82.

Provided that no delegation made in accordance with the provisions of this regulation shall diminish in any respect the responsibility of the Trust in the execution of their powers and duties.

(3) There shall be paid out of the funds at the disposal of the Trust such charges in respect of the aforesaid agency services, including the cost of administration, as may be agreed between the Trust and the Agents respectively.

7.—(1) The Trust shall be empowered to fix rents at their discretion in each case.

(2) The Trust may write off all arrears of rent which they decide to be irrecoverable.

(3) The Trust may appoint such person or persons as they think fit to collect the rents of cottages and plots at such remuneration as they may decide.

8. The widow of a deceased tenant may, if the Trust think fit, be permitted to retain possession of the cottage held by her deceased husband on terms similar to those under which it was held by the deceased tenant:

Provided that if application be made for a cottage by an ex-serviceman whom the Trust are empowered and willing to accept as a tenant, and no other suitable cottage is available, the Trust shall as soon as may be after considering all the circumstances of the case give notice to the widow of the deceased tenant to determine her tenancy.

9. The Trust may dispose of any sites, or portions of sites, cottages or other buildings purchased under schemes for the provision of accommodation for ex-servicemen but not required for that purpose.

10.—(1) The Trust may in their discretion dispose on such terms as the Trust think fit, and whether by way of sale of the freehold or grant of a long term of years or otherwise, of any cottage

(*a*) to any ex-serviceman who is one of the men for whose benefit the Trust was established if he either occupies, or satisfies the Trust that he intends to occupy, the cottage, or

(*b*) to the widow of any such ex-serviceman who died before the thirtieth day of April, One thousand nine hundred and fifty three, if—

(i) they were residing in the cottage at the time of his death, and she has remained in occupation since, and

(ii) he or she before the thirtieth day of April, One thousand nine hundred and fifty three, gave the Trust notice of a desire to buy the cottage.

(2) No such disposition shall be made except in accordance with a scheme approved by the Treasury, and different schemes may be made for the Republic of Ireland and for Northern Ireland or for any part of the Republic of Ireland or of Northern Ireland.

11. The Trust may accept any moneys transferred to them for the purposes of the Trust from any source, and may administer any such moneys as a separate fund.

12. If it shall at any time appear to the Trust that the sums standing to the credit of the Trust are surplus to the current requirements of the Trust, the Trust may invest such surplus funds in any securities in which Trustees are by law authorised to invest.

13.—(1) The Trust shall, as soon as possible after the end of each financial year of the Trust, make to the Treasury and to the Secretary of State a report on the exercise and performance of their functions during that year.

(2) The Trust shall keep proper accounts and other records, and shall prepare in respect of each financial year of the Trust a statement of accounts, and the accounts of the Trust shall be audited by auditors approved by the Treasury.

(3) As soon as the accounts of the Trust have been audited they shall send a copy of the statement of accounts to the Treasury and to the Secretary of State, together with a copy of any report made by the auditors on that statement or on the accounts of the agency.

14.—(1) These regulations may be cited as the Irish Sailors and Soldiers Land Trust Regulations 1963, and shall come into force on the 20th day of June 1963.

(2) The regulations set out in the Schedule to these regulations are hereby revoked.

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

(4) In the application to these regulations of the Interpretation Act 1889(a), section 38 of that Act (which relates to the effect of repeals) shall have effect as if any regulations revoked by these regulations were enactments thereby repealed.

Dated this 12th day of June 1963.

John Hill,
G. T. C. Campbell,
Two of the Lords Commissioners of
Her Majesty's Treasury.

THE SCHEDULE

The Irish Sailors and Soldiers Land Trust (Amending) Regulations 1925(b).

The Irish Sailors and Soldiers Land Trust (Amending) Regulations 1929(c).

The Irish Sailors and Soldiers Land Trust (Amending) Regulations 1930(d).

The Irish Sailors and Soldiers Land Trust (Amending) Regulations 1952(e).

The Irish Sailors and Soldiers Land Trust (Amending) Regulations 1955(f).

The Irish Sailors and Soldiers Land Trust (Amending) Regulations 1958(g).

(a) 52 & 53 Vict. c. 63.
(b) S.R. & O. 1925/303 (1925, p. 832).
(c) S.R. & O. 1929/52 (1929, p. 654).
(d) S.R. & O. 1930/363 (1930, p. 817).
(e) S.I. 1952/1918 (1952 I, p. 1252).
(f) S.I. 1955/1941 (1955 I, p. 1078).
(g) S.I. 1958/1624 (1958 I, p. 1340).