(2) The chairman may, for the purpose of deciding whether to give the direction, require the applicant to furnish such testimonial or other evidence in support of his application as the chairman may think fit.

Dated the 15th day of January, 1959.

Kilmuir, C.

EXPLANATORY NOTE

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

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, provides that in certain circumstances a tenant of an agricultural holding, who is performing a period of service, shall have special protection in addition to that given by the Agricultural Holdings Act, 1948. These Regulations provide that, where a service man is entitled to this special protection, but is serving abroad and therefore unable to serve a counter-notice under section 24 (1) of the 1948 Act, or to take some necessary step in subsequent proceedings, and has not authorised anyone to do so on his behalf, the chairman of an Agricultural Land Tribunal may authorise a suitable person to do so.

LANDS TRIBUNAL

1959 No. 1732

The Lands Tribunal (Amendment) Rules, 1959

Made - - - -	*7th October*, 1959
Coming into Operation	*16th October*, 1959

I, David Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by section 3 of the Lands Tribunal Act, 1949(**a**), and subsection (5) of section 2 of the Rights of Light Act, 1959(**b**), and after consulting the Council on Tribunals, do hereby make the following Rules:—

1.—(1) These Rules may be cited as the Lands Tribunal (Amendment) Rules, 1959, and shall come into operation on the 16th day of October, 1959.

(2) In these Rules, unless the context otherwise requires—

(*a*) a Rule or Part referred to by number means the Rule or Part so numbered in the Lands Tribunal Rules, 1956(**c**);

(*b*) a Schedule referred to by number means the Schedule so numbered to the Lands Tribunal Rules, 1956.

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

(**a**) 12, 13 & 14 Geo. 6. c. 42.
(**b**) 7 & 8 Eliz. 2. c. 56.
(**c**) S.I. 1956/1734 (1956 I, p. 1136).
(**d**) 52 & 53 Vict. c. 63.

2. The following new Part shall be inserted after Part V—

"PART VA

Applications under section 2 of the Rights of Light Act, 1959

Form of application

26A. An application for a certificate of the Lands Tribunal under section 2 of the Rights of Light Act, 1959, shall be substantially in accordance with Form 9, and shall be accompanied by two copies of the application which the applicant proposes to make to the local authority in whose area the dominant building is situated.

Publicity

26B.—(1) Upon receiving an application the President shall determine what notices are to be given, whether by way of advertisement or otherwise, to persons who appear to have an interest in the dominant building specified in the proposed application to the local authority and may for this purpose require the applicant to furnish any documents or provide any information which it is in his power to supply.

(2) The applicant shall notify the registrar in writing when he has given the notices directed to be given by the President, setting out full particulars of the steps taken by him.

Issue of temporary certificates

26C.—(1) The Tribunal shall, where it is satisfied that matters of exceptional urgency require the registration forthwith of a temporary notice in the register of local land charges, issue a temporary certificate in Form 10.

(2) The period of duration specified in the certificate shall not be more than six months.

Issue of definitive certificates

26D. The Tribunal shall, upon being satisfied that the notices directed to be given by the President have been duly given, issue a certificate in Form 11 or, where a temporary certificate has been issued under the last preceding Rule, in Form 12."

3. The following Rule shall be substituted for Rule 28—

"*Proceedings to be consolidated or heard together*

28.—(1) Where more than one notice of appeal has been given in respect of the same land or hereditament, an application to the registrar, in accordance with the provisions of Rule 27, for an order that the appeals shall be consolidated may be made by any party to the appeals.

(2) Where two or more notices of appeal have been given in respect of different lands or hereditaments raising the same issues, or where two or more notices of reference have been given in respect of several interests in the same subject in dispute, an application may be made by any party to the proceedings that the appeals, or as the case may be the references, shall be heard together.

(3) Where any such notices of appeal or notices of reference have been given as are referred to in the foregoing paragraphs, the President or the Tribunal may, without any application in that behalf, make an order that the appeals or references shall be consolidated or heard together.

(4) An order may be made with respect to some only of the matters to which the notices of appeal or notices of reference relate."

4. In Rule 29 for the words "point or points of law" there shall be substituted the word "issues".

5. Rule 51 shall be amended as follows—

(*a*) The following words shall be inserted at the beginning of the Rule—

"(1) Subject to the provisions of the next following paragraph,"

(*b*) The following paragraph shall be added—

"(2) The times appointed by paragraphs (i) and (ii) of Rule 11 for sending a Statement of an appellant's case and a Reply, and the time appointed by paragraph (4) of Rule 38 for sending copies of documents to the registrar, may, by consent of the parties and on written notification sent to the registrar and received by him before the expiration of the limit of time appointed by the Rules or fixed by a previous extension by consent, be extended for a period not exceeding two months on each notification and four months in the aggregate."

6. The following Forms shall be added to the First Schedule—

"FORM 9

Rule 26A

Application for certificate under section 2 of the Rights of Light Act, 1959

To:—The Registrar,
Lands Tribunal,
3, Hanover Square,
London, W.1.

I/We .....
of .....
being [owner(s)] [tenant(s) for a term of years certain expiring in 19.....] [mortgagee(s) in possession] of ..... (*here describe the servient land*) ..... apply to the Lands Tribunal for the issue of a certificate that adequate publicity has been given to my proposed application for the registration in the register of local land charges of the ..... Council of a notice under section 2 of the Rights of Light Act, 1959.

Strike out words not applicable.

I attach two copies of the proposed application.

Application for temporary certificate. Strike out if not applicable.

[I/We also apply for the issue of a certificate authorizing the registration forthwith of the proposed notice as a temporary notice. The case is one of exceptional urgency, because ..... (*here insert reasons*) .....]

To the best of my knowledge persons likely to be affected by the registration of the notice are ..... (*here insert names and addresses of all persons in occupation of the dominant building or having a proprietary interest in it*) .....
.....
.....

Strike out words not applicable.

All communications regarding this application should be addressed to me/us at the address shown above [or to my/our solicitor/agent Mr. .....
of .....]

Signed .....

Dated ....."

"FORM 10

Temporary certificate for registration of a Notice under section 2 of the Rights of Light Act, 1959 Rule 26C

I hereby certify that for reasons of exceptional urgency a temporary notice may be registered by ..... (*here insert name of applicant*) forthwith against the building specified in the attached Form of Application for the registration of a notice under section 2 of the Rights of Light Act, 1959.

A notice registered under the said application shall not have effect after the effluxion of ..... months from the date of registration unless before the expiration of that period a further certificate of this Tribunal has been lodged with the registering authority stating that due publicity has been given to the proposed registration.

Signed .....
Dated .....
Registrar
Lands Tribunal"

"FORM 11

Certificate for registration of a Notice under section 2 of the Rights of Light Act, 1959 Rule 26D

I certify that adequate notice of the proposed application by.....
..... (*here insert name of applicant*), a copy of which is attached to this certificate, to register a notice under section 2 of the Rights of Light Act, 1959, against the building specified in the application, has been given to all persons who in the circumstances existing at the present time appear to the Lands Tribunal to be persons likely to be affected by the registration of such a notice.

Signed .....
Dated .....
Registrar
Lands Tribunal"

"FORM 12

Certificate for registration of a Notice under section 2 of the Rights of Light Act, 1959, following registration of a temporary notice Rule 26D

I certify that adequate notice of the application by .....
..... (*here insert name of applicant*) to register a notice under section 2 of the Rights of Light Act, 1959, against .....
.....(*here insert description of dominant building as specified in the application*) .....
has been given to all persons who in the circumstances existing at the present time appear to the Lands Tribunal to be persons likely to be affected by the registration of such a notice.

A temporary certificate authorizing the registration of a temporary notice was issued by the Lands Tribunal on.....

Signed .....
Dated .....
Registrar
Lands Tribunal"

7. The following fee shall be inserted after Fee No. 4 in the Second Schedule—

"4A. On an application under Part VA of these Rules—

(*a*) for a definitive certificate	10	0	0
(*b*) for a temporary and a definitive certificate	15	0	0"

Dated the 7th day of October, 1959.

Kilmuir, C.

We approve the fees prescribed by these Rules in respect of proceedings before the Lands Tribunal.

Graeme Finlay
Michael Hughes-Young } Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules amend the Lands Tribunal Rules, 1956. New Rules, Forms and Fees are added to regulate the issue of certificates for the registration of notices under the Rights of Light Act, 1959, s. 2. Other amendments include an amendment to Rule 29 which will permit the selection of a test case from two or more appeals involving the same issue of fact, and an amendment to Rule 51 which will allow a limited extension by consent of the parties of the times appointed by the Rules for the submission of certain documents in the nature of pleadings.

LEGAL AID AND ADVICE, ENGLAND

1959 No. 46 (C. 1)

The Legal Aid and Advice Act, 1949 (Commencement No. 6) Order, 1959

Made - - - - *9th January*, 1959

Whereas it is provided by subsection (2) of section 17 of the Legal Aid and Advice Act, 1949(a), that Part I of the said Act shall come into force on such day as the Lord Chancellor may by statutory instrument appoint, and that different days may be appointed for different purposes:

Now, therefore, I, David Viscount Kilmuir, Lord High Chancellor of Great Britain, in pursuance of the said provision, hereby make the following Order:—

1. The following provisions of the said Act shall come into force on the 2nd day of March, 1959, namely—

(*a*) section 7 (except subsections (3), (4), (5), (6) and (12)) for the purpose of making legal advice available in England and Wales;

(a) 12, 13 & 14 Geo. 6. c. 51.