LUNACY AND MENTAL TREATMENT, ENGLAND

1953 No. 336 (L. 4)

The Management of Patients' Estates (Percentage and Fees) Rules, 1953

Made - - - - 27th February, 1953
Coming into Operation 1st March, 1953

I, Gavin Turnbull, Baron Simonds, Lord High Chancellor of Great Britain, with the concurrence of the Lords Commissioners of Her Majesty's Treasury, and in exercise of the powers conferred upon me by section 148 of the Lunacy Act, 1890(a), and all other powers enabling me in this behalf, do hereby amend the Management of Patients' Estates Rules, 1934(b), as follows:—

1. Rule 148 (which prescribes the percentages payable) shall be amended by the substitution of the following paragraph for paragraph (1):

"(1) Subject to the provisions of Rules 149 and 150 the following fees and percentages shall be payable on the clear annual income of a patient including any income applied for his benefit under a discretionary trust:—

(*a*) Where the clear annual income of a patient does not exceed £100, a fee of £1 for each completed year from the date of the first order.

(*b*) Where the clear annual income exceeds £100 but does not exceed £150, a percentage of 3 per cent. per annum.

(*c*) Where the clear annual income exceeds £150, a percentage of 4 per cent. per annum."

2. Rule 149 (which enables the Master to postpone the levying of fees, etc.) shall be amended as follows:—

(*a*) Paragraph (1) shall be deleted.

(*b*) In paragraph (2) there shall be deleted the words to "Patient," and the following shall be substituted therefor: "Where the clear annual income of the patient, including income applied for his benefit under a discretionary trust, does not exceed £100 per annum and the Master is satisfied that the payment of the fee prescribed in Rule 148 would inflict hardship on the patient or his dependants,".

3. The fees prescribed in Rule 160 shall be increased as follows:—

(*a*) on every order the fee shall be £3 instead of £2.

(*b*) on every certificate, other than a certificate relating solely to the payment of percentage, the fee shall be £1 10s. instead of £1.

(*c*) on every authority or direction issued under the seal of the Master, the fee shall be 5s. instead of 2s.

(*d*) on every copy of an authority, the fee shall be 1s. instead of 6d.

4. Rule 161 (which prescribes fees payable in respect of all applications made through the Personal Application Branch of the Court of Protection) shall be amended as follows:—

(*a*) In paragraph (1) (*a*) (i), for "5 %" there shall be substituted "10 %" and for "5s." there shall be substituted "10s.".

(*b*) In paragraph (1) (*a*) (ii), for "2 %" there shall be substituted "4 %", and for "£2" there shall be substituted "£4".

(a) 53 & 54 Vict. c. 5. (b) S.R. & O. 1934/269; Rev. XIII, p. 10; 1934 I, p. 1109.

(*c*) In paragraph (1) (*b*), for "5s." there shall be substituted "10s.".
(*d*) In paragraph (1) (*c*), for "10s." there shall be substituted "£1".

5. These Rules may be cited as the Management of Patients' Estates (Percentage and Fees) Rules, 1953.

6. These Rules shall come into operation on the 1st March, 1953, so, however, that Rule 1 shall take effect only in the case of a levy which is payable in respect of a period ending on or after that date.

Dated the 27th day of February, 1953.

Simonds, C.

We concur.

Dennis Vosper } Lords Commissioners of
Edward Heath } Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Rules increase the fees and percentages which are payable in respect of the administration of patients' estates.

MAGISTRATES COURTS

JURISDICTION

1953 No. 496

The County of London Justices (Jurisdiction) Order, 1953

Made - - - -	21*st March*, 1953
Coming into Operation	1*st April*, 1953

In pursuance of the power conferred upon me by subsection (9) of section eleven of the Justices of the Peace Act, 1949(**a**), I hereby make the following Order :—

1. Subject to the provisions of this Order, justices acting for any petty sessional division of the county of London (not being metropolitan stipendiary magistrates) shall not take any classes of case except those specified in the Schedule to this Order.

2. This Order shall not apply—

(*a*) to justices sitting as members of a divisional licensing committee constituted under section eleven of the Licensing Act, 1949(**b**) ;

(*b*) to justices sitting as members of a juvenile court in the metropolitan stipendiary court area constituted under paragraph 2 of the Second Schedule to the Children and Young Persons Act, 1933(**c**) ;

(*c*) to justices sitting as members of a court of summary jurisdiction constituted for the metropolitan stipendiary court area, or any part thereof, by any order made under section nine of the Summary Procedure (Domestic Proceedings) Act, 1937(**d**) ;

(*d*) to justices sitting in a metropolitan stipendiary court ;

(*e*) to justices sitting in any part of the county of London outside the metropolitan stipendiary court area ;

(a) 12, 13 & 14 Geo. 6. c. 101.
(b) 12, 13 & 14 Geo. 6. c. 59.
(c) 23 & 24 Geo. 5. c. 12.
(d) 1 Edw. 8 & 1 Geo. 6. c. 58.