CHAPTER 78

An Act to render inoperative any restriction upon anticipation or alienation attached to the enjoyment of property by a woman. [16th December 1949.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Abolition of restraint upon anticipation, and consequential amendments and repeals.

1.—(1) No restriction upon anticipation or alienation attached, or purported to be attached, to the enjoyment of any property by a woman which could not have been attached to the enjoyment of that property by a man shall be of any effect after the passing of this Act.

(2) The preceding subsection shall have effect whatever is the date of the passing, execution or coming into operation of the Act or instrument containing the provision by virtue of which the restriction was attached or purported to be attached, and accordingly in section two of the Law Reform (Married Women and Tortfeasors) Act, 1935, the proviso to subsection (1) and subsections (2) and (3) (which make provision differentiating as to the operation of such a restriction between an Act passed before the passing of that Act or an instrument executed before the date mentioned in the said proviso on the one hand and an instrument executed on or after that date on the other hand) are hereby repealed.

25 & 26 Geo. 5. c. 30.

(3) The enactments mentioned in the first column of the First Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule.

(4) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Short title and extent.

2.—(1) This Act may be cited as the Married Women (Restraint upon Anticipation) Act, 1949.

(2) This Act shall not extend to Scotland or to Northern Ireland.

SCHEDULES

FIRST SCHEDULE

Section 1.

CONSEQUENTIAL AMENDMENTS

The Married Women's Property Act, 1882. (45 & 46 Vict. c. 75).	In section nineteen, the words from " or shall interfere " to " before marriage " shall be repealed, and the word " but " shall be substituted for the word " and " where it occurs immediately after the said repealed words.
The Supreme Court of Judicature (Consolidation) Act, 1925. (15 & 16 Geo. 5. c. 49).	In section one hundred and ninety-four, in the subsection substituted for subsection (1) by the Law Reform (Married Women and Tortfeasors) Act, 1935, the following paragraph shall be substituted for paragraph (*a*), that is to say— " (*a*) any property which is acquired by or devolves upon the wife on or after the date of the decree whilst the separation continues shall, if she dies intestate, devolve as if her husband had been then dead ".

SECOND SCHEDULE

Section 1.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
20 & 21 Vict. c. 57.	The Married Women's Reversionary Interests Act, 1857.	In section one, the proviso.
56 & 57 Vict. c. 63.	The Married Women's Property Act, 1893.	Section two.
4 & 5 Geo. 5. c. 59.	The Bankruptcy Act, 1914.	Section fifty-two.
15 & 16 Geo. 5. c. 18.	The Settled Land Act, 1925.	In section one, in subsection (1), paragraph (iv). In section twenty, in subsection (1), paragraph (*x*). In section twenty-five, subsection (2).
15 & 16 Geo. 5. c. 19.	The Trustee Act, 1925 ...	In section sixty-two, in subsection (1), the words from " and notwithstanding " to " anticipation ".

2ND SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 20.	The Law of Property Act, 1925.	In section one hundred and fifty-three, in subsection (6), in paragraph (i), the words "or is subject to a restraint on anticipation". In section one hundred and sixty-nine, the words "is restrained from anticipation or from alienation" and the word "or" where it occurs for the third time.
25 & 26 Geo. 5. c. 30.	The Law Reform (Married Women and Tortfeasors) Act, 1935.	In section two, in subsection (1), the proviso, and subsections (2) and (3).
11 & 12 Geo. 6. c. 63.	The Agricultural Holdings Act, 1948.	In section eighty-five, in paragraph (*a*), the words "and is not restrained from anticipation".

CHAPTER 79

An Act to provide for the making to colliery concerns and subsidiaries of such concerns of further income payments for the period between the primary vesting date and the date on which compensation under the Coal Industry Nationalisation Act, 1946, in respect of transfers of transferred interests of the concerns and subsidiaries is satisfied in full, and for purposes connected therewith.

[16th December 1949.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Provision for further revenue payments to colliery concerns and subsidiaries. 9 & 10 Geo. 6. c. 59.

1.—(1) The following provisions of this section shall have effect with respect to the making to colliery concerns, and to subsidiaries of such concerns, of payments in respect of the year nineteen hundred and forty-nine and subsequent years towards satisfaction of the right to interim income conferred by subsection (2) of section nineteen of the Coal Industry Nationalisation Act, 1946 (hereinafter referred to as "the principal Act").