to distrain). The existing provisions of the 1920 Rules which give jurisdiction to the Registrar and empower the court to hear applications wholly or partly in private are substantially reproduced by Rule 3 (5) and (6).

Under Rule 4 a claim for compensation where judgment for possession has been obtained by misrepresentation will take the form of an action. No express provision is made for appeals from the Registrar to the Judge which will, therefore, take the form laid down by County Court Rules for ordinary cases. Rule 5 revokes all the existing Rules, subject to their continued application (under Rule 6) to pending proceedings. The First Schedule prescribes Forms to be used for those applications and orders which are likely to be most frequently made.

The Rules will come into force at the same time as the Rent Act, namely on July 6th, 1957.

VALUATION AND RATING (SCOTLAND) ACT, 1956

1957 No. 49 (S. 2)

The Owners' Rates (Form of Notice) (Scotland) Regulations, 1957

Made - - - -	11*th January*, 1957
Coming into Operation	18*th January*, 1957

In exercise of the powers conferred on me by paragraph 13, as read with sub-paragraph (*e*) of paragraph 15, of the Third Schedule to the Valuation and Rating (Scotland) Act, 1956(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the Owners' Rates (Form of Notice) (Scotland) Regulations, 1957, and shall come into operation on the 18th day of January, 1957.

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

2. The notice which a landlord is required to give under paragraph 13 of the Third Schedule to the Valuation and Rating (Scotland) Act, 1956, shall be in the form set out in the Schedule to these regulations, or in a form substantially to the like effect.

Dated this eleventh day of January, 1957.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

(a) 4 & 5 Eliz. 2. c. 60. (b) 52 & 53 Vict. c. 63.

SCHEDULE

VALUATION AND RATING (SCOTLAND) ACT, 1956

Notice of the amount of owners' rates payable in 1956-57 *and of the effect of the Third Schedule to the Act*

To ..... the occupier of .....

..... (hereinafter referred to as "the property")

$\frac{\text{I}}{\text{We}}$ [..... the duly authorised agent(s) for] (*a*)

..... (*b*) the landlord(s) of the property, hereby give notice—

(1) that the total amount of the owner's share of the rates in respect of the property for the year 1956-57 is £ : : (i.e. £ : : per (*c*)) (*d*)

(2) that the rent per (*c*) [exclusive of rates] (*e*) payable by you in respect of the year 1957-58 and of any subsequent year falls to be reduced by the above sum of £ : : ;

(3) that as from the (*f*) 1957, your rent will be £ : : per (*c*) [exclusive of rates] (*e*)

Your attention is drawn to the information contained in the Notes appended to this notice relating to the effect of the Third Schedule to the Valuation and Rating (Scotland) Act, 1956.

(Signed) .....

(Address) .....

Date .....

Notes for guidance in completing this form

(*a*) Delete words in square brackets where the notice is signed by the landlord or landlords.

(*b*) Insert name(s) of landlord or landlords.

(*c*) Insert rental period.

(*d*) If the property is not separately entered in the valuation roll a note should be appended to the notice showing how the amount of the owner's share of the rates has been calculated, i.e. in relation to the total amount of the owner's share of the rates on the lands and heritages of which the property forms part.

(*e*) The words in square brackets are necessary only where the landlord is responsible in the first instance for the payment of the rates by virtue of the House Letting and Rating (Scotland) Acts, 1911 and 1920 or the Local Government (Scotland) Act, 1947.

(*f*) 16th May, except in the area of any local authority whose financial year commences on a day other than the 16th May.

APPENDIX

NOTES

1. The Valuation and Rating (Scotland) Act, 1956 (hereinafter referred to as "the Act of 1956") provides that as from the 16th May(a) 1957 rates leviable by a rating authority shall be payable by occupiers only; owners will therefore cease to be liable for such rates as from that date. At the same time, existing rents will be reduced by the amount of the owners' liability for rates in the year 1956-57; in almost all cases, this simply means the amount of the owners' rates for that year. Where rents are payable in respect of a period of less than a year, the reduction will be a proportionate part of the owners' share of the rates in the year 1956-57.

In the case of a dispute with the landlord about the amount of the owner's share of the rates, you should refer the matter to the rating authority for determination. The rating authority are the Town/County Council of (add address) and their decision is final.

2. This Notice tells you (subject to the provisions of any enactment permitting an increase in rent) what your rent will be as from the 16th May(a) 1957 until the termination of the lease or until the rent is varied by (i) arbitration, (ii) the decision of any court, or (iii) an agreement between the parties, where these events occur on or after the 16th May(a) 1957.

3. Where a lease itself contains provision for the variation of the rent payable thereunder on a date after the 16th May(a) 1957, the provisions of paragraph 3 of the Third Schedule to the Act of 1956 will apply. The effect of this is, broadly speaking, that where the rent is varied in terms of the lease it will also be adjusted to take account of the abolition of owners' rates.

4. Where a lease provides that the tenant is under an obligation to pay to the landlord an amount in respect of owners' rates, the rent which falls to be reduced under the Third Schedule to the Act of 1956 is the sum of the rent and the amount payable by the tenant in respect of owners' rates in the year 1956-57.

5. *This paragraph should be inserted where the property is a dwelling-house to which the Rent Restrictions Acts apply.*

The recoverable rent of a dwelling-house to which the Rent and Mortgage Interest Restrictions Acts apply is usually the rent being paid by the tenant or sub-tenant. The recoverable rent is made up of the standard rent with the addition, where appropriate, of any permitted increases under the Rent Restrictions Acts or the Housing (Repairs and Rents) (Scotland) Act, 1954. The Act of 1956 reduces the recoverable rent. This is done by reducing the standard rent and any permitted increases under the Rent Restrictions Acts which are included in the recoverable rent. The reduction in the standard rent is by an amount equal to the "relevant fraction" of the net rent; the reduction in each permitted increase is by an amount equal to the "relevant fraction" of that increase. The "relevant fraction" is a fraction of which the numerator is the number of pence per pound of rateable value payable by way of owners' rates in respect of the dwelling-house in the year 1956-57 and the denominator is two hundred and forty. In your case the "relevant fraction" is $\frac{\quad}{240}$. The increase for increased cost of services and the repairs increase under the Housing (Repairs and Rents) (Scotland) Act, 1954, are not rateable and therefore are not reduced by the Act of 1956.

(a) Except in the area of any local authority whose financial year commences on a day ther than the 16th May.

6. *This paragraph should be inserted where the property is a dwelling-house in respect of which the amount or the maximum amount of the rent is fixed, determined or approved by, or in pursuance of, any of the enactments specified in paragraph* 10 *of the Third Schedule to the Act of* 1956.

Where, on the 16th May(a) 1957, the amount of the rent or the maximum amount of the rent is fixed under statute because a grant has been paid for the building, conversion or repair of a property or for certain other reasons, that amount will be reduced by the "relevant fraction". *Insert the following words if they have not appeared earlier in the Notes.* The "relevant fraction" is a fraction of which the numerator is the number of pence per pound of rateable value payable by way of owners' rates in respect of the dwelling-house in the year 1956-57 and the denominator is two hundred and forty. In your case the "relevant fraction" is $\frac{\quad}{240}$.

7. On and after the 16th May(a) 1957 the occupier of a property is liable to pay all the rates on that property. The arrangement whereby an owner of a small dwelling-house is responsible to the local authority for the occupier's rates (with a right of recovery against the occupier) is not, however, affected by the Act of 1956.

EXPLANATORY NOTE

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

These regulations prescribe the form of notice to be given by landlords to the occupiers of any property showing the amount of the owners' rates payable in respect of the property for the year 1956-57 and the effect on the rent of the property of the provisions of the Valuation and Rating (Scotland) Act, 1956, abolishing owners' rates.

LIVERPOOL COURT OF PASSAGE

PROCEDURE

1957 No. 1279 (L. 15)

The Rules of the Court of Passage of the City of Liverpool, 1957

Made - - - - *24th June,* 1957
Coming into Operation *2nd September,* 1957

The Rules of the Liverpool Court of Passage(b) are hereby amended as follows:—

1. In Rule 4 of Order VII (which relates to the withdrawal of a solicitor who has ceased to act for a party in any proceedings), paragraph (3) shall be omitted, paragraph (4) shall be renumbered (3), paragraph (5) shall be renumbered and stand as Rule 5, and at the end of the said Rule 4 there shall be added the following paragraphs:—

"(4) Notwithstanding anything in paragraph (1) of this Rule, where the certificate of an assisted person within the meaning of the Legal Aid

(a) Except in the area of any local authority whose financial year commences on a day other than the 16th May.
(b) S.R. & O. 1934/411 (1934 I, p. 947).