SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 61.

An Act to amend the Railways (Valuation for Rating) Act, 1930. [26th July 1946.]

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 :—

Special provisions as to fourth quinquennial period.

1.—(1) For the purposes of the railway valuation roll for the fourth quinquennial period, the net annual value of the company's undertaking as a whole or, as the case may be, the net annual value of the company's undertaking as a whole, in so far as it is carried on in England, shall, in the case of each railway company, be taken to be the sum specified in relation to that company in Part I of the First Schedule to this Act, and the apportionment scheme made and approved under section thirteen of the Railways (Valuation for Rating) Act, 1930 (in this Act referred to as "the principal Act") shall, for the purposes of the railway valuation roll for the said period, have effect subject to such modifications, if any, as may be specified in an order of the Minister.

20 & 21 Geo. 5. c. 24.

(2) The cumulo yearly rent or value of a railway company's undertaking so far as carried on in Scotland shall for the fourth quinquennial period be taken to be in the case of each railway company the sum specified in relation to that company in Part II of the First Schedule to this Act, and that sum shall, save as provided in subsection (3) of section twenty-two of the principal Act, be entered in the valuation roll for each of the years of that period, and shall be the cumulo yearly rent or value within the meaning of the Lands Valuation (Scotland) Acts of the lands and heritages in Scotland belonging to or leased by the company and forming part of its undertaking.

(3) Any apportionment of the expenses of the Joint Authority for periods of account ending after the passing of this Act, and before an apportionment of the net receipts of the railway companies carrying on their undertakings in England and in Scotland is made by the Joint Authority for the purposes of the railway valuation roll for the fifth quinquennial period, shall be made as if the average net receipts of the railway companies specified in Part III of the First Schedule to this Act had been ascertained by the Joint Authority under paragraph (i) of subsection (1) of section five of the principal Act and stood apportioned in the manner set out in that Part of that Schedule.

(4) The provisions of the principal Act specified in the Second Schedule to this Act shall, in so far as they relate to the railway valuation roll for the fourth quinquennial period, have effect subject to the provisions of that Schedule, being provisions consequential on the preceding provisions of this section.

Minor amendment of s. 12 of principal Act.

2. Section twelve of the principal Act shall, as respects the fourth quinquennial period and subsequent quinquennial periods, have effect as if in subsection (5) thereof after the words " under subsection (2) of this section " there were inserted the words " or under subsections (3) or (4) of section eight of this Act ".

Superannuation, &c., of employees of Railway Assessment Authority.

1 Edw. 8. & 1 Geo. 6. c. 67.

3.—(1) The Railway Assessment Authority shall be a local authority within the meaning of the Local Government Superannuation Act, 1937, and that Act shall have effect as if—

(*a*) the Railway Assessment Authority were included among the local authorities specified in Part I of the First Schedule to that Act ; and

(*b*) the area of the Railway Assessment Authority were situate within the administrative county of Surrey.

2 & 3 Geo. 6. c. 94.
7 & 8 Geo. 6. c. 21.

(2) For the purposes of the said Act, the Local Government Staffs (War Service) Act, 1939, and the Pensions (Increase) Act, 1944,—

(*a*) service under the Railway Assessment Authority before the coming into effect of this section shall be treated as always having been service under a local authority ; and

(*b*) where any employee of the Railway Assessment Authority has (whether before or after the coming into effect of this section) devoted part of his time to employment by the Joint Authority, that employment and any remuneration in respect thereof shall be treated as employment by, and remuneration under, the Railway Assessment Authority.

(3) The Joint Authority shall from time to time pay to the Railway Assessment Authority such proportion of any expenses incurred by the Railway Assessment Authority by reason of this section in respect of persons who have served both those authorities as may be agreed between those authorities or, failing agreement, be determined by the Minister.

(4) In paragraph 8 of Part I of the Second Schedule to the principal Act, and in that paragraph as applied to the London Passenger Transport Board, the words " (including in the case of a permanent officer such superannuation allowance or gratuity on retirement)," are hereby repealed.

(5) This section shall be deemed to have come into effect on the first day of April, nineteen hundred and forty-six.

Application to London Passenger Transport Board.

4. References in this Act to, and to the undertakings of, railway companies shall be deemed to include references to the London Passenger Transport Board and that Board's transport undertaking and, in relation to that Board and its said undertaking, references in this Act to the principal Act shall, subject to any necessary adaptations and modifications, be construed as references to that Act as applied to that Board and references in this Act to the fourth quinquennial period and to the railway valuation roll for that period shall be construed as references to the third quinquennial period and to the London Passenger Transport valuation roll for the third quinquennial period.

Short title and construction

5. This Act may be cited as the Railways (Valuation for Rating) Act, 1946, and shall be construed as one with the principal Act.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

PART I.

NET ANNUAL VALUES OF UNDERTAKINGS (ENGLAND).

Southern Railway Company	£1,528,540
Great Western Railway Company	£1,860,840
London Midland and Scottish Railway Company ...	£1,993,760
London and North Eastern Railway Company ...	£1,462,090
London Passenger Transport Board	£969,740

PART II.

CUMULO YEARLY RENT OR VALUE OF UNDERTAKINGS (SCOTLAND).

London Midland and Scottish Railway Company ...	£598,960
London and North Eastern Railway Company ...	£311,840

PART III.

APPORTIONMENT OF AVERAGE NET RECEIPTS.

London Midland and Scottish Railway Company—	
England	£13,379,185
Scotland	£2,072,638
London and North Eastern Railway Company—	
England	£9,506,717
Scotland	£1,139,374

Section 1.

SECOND SCHEDULE.

MODIFICATIONS OF PRINCIPAL ACT APPLICABLE TO ROLL FOR FOURTH QUINQUENNIAL PERIOD.

For paragraphs (i) and (ii) of subsection (3) of section three, there shall be substituted the following paragraph :—

" (i) apportion, in the case of a railway company's undertaking which is carried on in England, but not in Scotland, the net annual value of the undertaking as a whole, and in the case of a railway company's undertaking which is carried on in England and in Scotland, the net annual value of the undertaking as a whole in so far as it is carried on in England, among all the railway hereditaments in England occupied by that railway company ".

Sections four and five shall be omitted.

2ND SCH. —*cont.*

In subsection (1) of section six for the words " having determined in accordance with the foregoing provisions of this Act the net annual value of a railway company's undertaking as a whole, or the net annual value of that undertaking as a whole in so far as it is carried on in England, as the case may be, shall apportion that value " there shall be substituted the words " shall, in the case of each railway company, apportion the net annual value of the company's undertaking as a whole, or the net annual value of the undertaking as a whole in so far as it is carried on in England, as the case may be ".

In section seven the words " the Joint Authority and " and the words " ascertaining and apportioning the net receipts of a railway company, in determining and " shall be omitted.

Paragraphs (i) and (ii) of subsection (2) of section eight shall be omitted.

In section nine, subsection (1), paragraph (*a*) of subsection (2), paragraph (*a*) of subsection (4), and paragraph (i) of subsection (5) shall be omitted; in the concluding paragraph of subsection (2) the words " the amount determined to be " and the words from " and they shall not " to the end of the subsection shall be omitted; in subsection (3) the words " and the Joint Authority " shall be omitted.

In subsection (1) of section ten, for the words from " or so long " to " such appeal as aforesaid has been finally determined," there shall be substituted the words " but on the expiration of the said period of six months "; and the words " (whether or not such an appeal as is mentioned in this subsection) " shall be omitted.

In section twenty-two, subsections (1) and (2), and in subsection (6) the words " against a certificate of the Joint Authority or ", the words " based on such certificate or " and the words " as the case may be " shall be omitted.

In the Third Schedule, paragraphs 1 to 4 and sub-paragraph (*a*) of paragraph 6 shall be omitted; in paragraph 5 for the words " to determine with respect to any railway company the net annual value of the undertaking as a whole, or the net annual value of the undertaking as a whole in so far as it is carried on in England, the apportionment thereof " there shall be substituted the words " in the case of any railway company, to apportion the net annual value of the undertaking as a whole or the net annual value of the undertaking as a whole in so far as it is carried on in England "; in the proviso to paragraph 7 the words " the amount proposed to be fixed as " and the words from " and they shall not " to the end of the paragraph shall be omitted; in paragraph 8 after the words " the Authority shall proceed to determine " there shall be inserted the words " the apportionment of " and after the words " as the case may be " the words " the apportionment of that value " shall be omitted; and the words from " or, if any appeal " to the end of the paragraph shall be omitted.

Printed by Sir NORMAN GIBB SCORGIE, C.V.O., C.B.E.,
Controller of His Majesty's Stationery Office
and
King's Printer of Acts of Parliament