(*c*) to esters of oleandomycin and salts of such esters.

Derek Walker-Smith,
Minister of Health.

John S. Maclay,
Secretary of State for Scotland.

J. L. O. Andrews,
Minister of Health and Local Government for Northern Ireland.

17th April, 1959.

EXPLANATORY NOTE

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

These regulations bring within the scope of Part II of the Therapeutic Substances Act, 1956 (which re-enacts the provisions of the Penicillin Act, 1947, as amended by subsequent enactments and controls the sale and supply of the substances to which that Part applies), the substances specified in regulation 2.

TITHES, ENGLAND

1959 No. 1984 (L. 14)

The Tithe (Amendment) Rules, 1959

Made - - - -	23*rd November*, 1959
Laid before Parliament	30*th November*, 1959
Coming into Operation	1*st January*, 1960

I, David Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the power conferred on me by section 3 of the Tithe Act, 1891(**a**), and section 16 of the Tithe Act, 1936(**b**), and after consultation with the County Court Rule Committee, hereby make the following Rules:—

1.—(1) These Rules may be cited as the Tithe (Amendment) Rules, 1959.

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

(3) In these Rules, unless the context otherwise requires, a Rule referred to by number means the Rule so numbered in the Tithe Rules, 1937(**d**), as amended(**e**), and a Form referred to by number means the Form so numbered in the Appendix to those Rules.

2. Paragraph (2) of Rule 1 shall be amended as follows:—

(1) For the definition of "Commission" there shall be substituted the following definition:—

"'Commissioners' means the Commissioners of Inland Revenue".

(a) 54 & 55 Vict. c 8. (b) 26 Geo. 5 & 1 Edw. 8. c. 43. (c) 52 & 53 Vict. c. 63.
(d) S.R. & O. 1937/1144 (Rev. XXII, p. 632: 1937, p. 2310).
(e) S.I. 1957/1138 (1957 II, p. 2572).

(2) The definition of " Arrears " shall be omitted.

(3) In the definition of " Tithe area " the words " and in relation to arrears " to the end shall be omitted.

(4) In the definition of " The Rules of 1891 " for the words " and the Tithe (Amendment) Rules, 1957 " there shall be substituted the words " the Tithe (Amendment) Rules, 1957, and the Tithe (Amendment) Rules, 1959 ".

3. Rule 2 shall be amended as follows :—

(1) For the word " Commission " in both places where it appears there shall be substituted the word " Commissioners ".

(2) For paragraphs (*a*) and (*b*) there shall be substituted the words " an annuity ".

(3) In the second marginal note for the words " Forms 1 to 6 " there shall be substituted the words " Forms TA1, TA2, TA3 ".

4. Rule 3 shall be amended as follows :—

(1) In paragraph (1) the words " or out of which the tithe rentcharge issued " shall be omitted.

(2) In paragraph (3)—

(*a*) for the word " instalment " there shall be substituted the word " annuity " ;

(*b*) the words " or the amount of the rentcharge in arrear issuing out of each tithe area " shall be omitted.

5. Paragraph (*a*) of Rule 4 shall be amended as follows : —

(1) For the words " the instalments or arrears " there shall be substituted the words " the annuity ".

(2) For the words " Form 1 or Form 2, whichever is applicable " there shall be substituted the words " Form TA1 ".

(3) In the marginal note for the words " Forms 1, 2 " there shall be substituted the words " Form TA1 ".

6. Rule 5 shall be amended as follows :—

(1) In paragraph (*b*) for the words " Form 3 or Form 4, whichever is applicable " there shall be substituted the words " Form TA2 ", and in the marginal note for the words " Forms 3, 4 " there shall be substituted the words " Form TA2 ".

(2) In paragraph (*c*) for the words " Form 5 or Form 6, whichever is applicable " there shall be substituted the words " Form TA3 ", and in the marginal note for the words " Forms 5, 6 " there shall be substituted the words " Form TA3 ".

7. In Rule 7 and the marginal notes for the words " Form 7 ", " Form 8 " and " Form 9 " there shall be substituted the words " Form TA 4 ", " Form TA 5 " and " Form TA 6 " respectively.

8. Rule 8 shall be amended as follows :—

(1) In paragraph (1) and the marginal note for the words " Form 9 " there shall be substituted the words " Form TA 6 ".

(2) In paragraph (2) for the words " Form 10 " there shall be substituted the words " Form TA 7 together with a copy of the notice of opposition," and in the marginal note for the words " Form 10 " there shall be substituted the words " Form TA 7 ".

9. In the proviso to Rule 9 for the words "Forms 1 to 5 and 8 and 9" there shall be substituted the words "Forms 1 to 9".

10. Rule 10 shall be amended as follows:—

(1) In paragraph (1)—

(*a*) for the words "Form 1 or Form 2" there shall be substituted the words "Form TA 1";

(*b*) for the words "Form 11 or Form 12, whichever is applicable" there shall be substituted the words "Form TA 8"; and

(*c*) in the marginal note for the words "Forms 11, 12" there shall be substituted the words "Form TA 8".

(2) In paragraph (2)—

(*a*) for the words "Forms 3, 4, 5 or 6" there shall be substituted the words "Form TA 2 or TA 3";

(*b*) for the words "shall, if the owner" to "whichever is applicable" in the second place where they appear there shall be substituted the words "shall be in Form TA 9 or TA 10, whichever is appropriate";

(*c*) in the marginal note for the words "Forms 13, 14, 15, 16, 17, 18" there shall be substituted the words "Forms TA 9, TA 10"; and

(*d*) in the proviso for the words "Form 11 or Form 12, whichever is applicable" there shall be substituted the words "Form TA 8".

11. In Rule 11 the words "an instalment of" shall be omitted.

12. In paragraph (5) of Rule 17 and the marginal note for the words "Form 23" there shall be substituted the words "Form TA 11".

13. Rule 18 shall be amended as follows:—

(1) For the words "Form 11 or Form 12" there shall be substituted the words "Form TA 8".

(2) For the words "Order XXV" and "Order XXVII" there shall be substituted the words "Order 25" and "Order 27" respectively.

14. In paragraph (4) of Rule 19 for the words "Order XV" there shall be substituted the words "Order 15".

15. Rules 6, 12, 13, 14, 20 and 21 shall be revoked.

16. Forms 2, 4, 6, 12, 14, 15, 17, 18, 19, 20, 21, 22 and 24 shall be revoked.

17. Form 1 shall be amended as follows:—

(1) In the heading for the words "The Tithe Acts, 1836 to 1936" there shall be substituted the words "The Tithe Acts, 1836 to 1951".

(2) For the words "Tithe Redemption Commission" wherever they appear there shall be substituted the words "Commissioners of Inland Revenue".

(3) In the first paragraph the words—

(*a*) "instalments of", and

(*b*) "for the period of ;"

shall be omitted.

18. Form 3 shall be amended as follows:—

(1) For the heading there shall be substituted the words "[*Heading as in Form TA 1*]".

(2) In the first paragraph the words—

(*a*) " instalments of ",

(*b*) " the First Part of " and

(*c*) " for the period of ; "

shall be omitted.

(3) In the second paragraph for the words " The respondent is the owner and occupier of the said lands. [*Or* the respondent is " there shall be substituted the words " The respondent was the owner of the said lands on the said payment date and is now the owner and occupier of the said lands [*or* is now ".

(4) The third paragraph shall be omitted.

(5) In the fourth paragraph the words " including the lands described in the Second Part of the Schedule " shall be omitted.

(6) For the words " Tithe Redemption Commission " there shall be substituted the words " Commissioners of Inland Revenue ".

(7) For the Schedule there shall be substituted the words " [*Schedule as in Form TA 1*] "

19. Form 5 shall be amended as follows:—

(1) For the heading there shall be substituted the words " [*Heading as in Form TA 1*] ".

(2) In the first paragraph the words—

(*a*) " instalments of ",

(*b*) " the First Part of " and

(*c*) " for the period of ; "

shall be omitted.

(3) For the second paragraph there shall be substituted the words:—" The respondent was the owner of the said lands on the said payment date and is now the owner thereof. The occupier of the said lands is M.N. of ."

(4) In the third paragraph for the words " as owner " to the end of the paragraph there shall be substituted the words " as tenant under the same landlord ".

(5) In the fourth paragraph for the words " through M.N. the occupier " there shall be substituted the words " through the said occupier ".

(6) The fifth paragraph shall be omitted.

(7) For the words " Tithe Redemption Commission " there shall be substituted the words " Commissioners of Inland Revenue ".

(8) For the Schedule there shall be substituted the words " [*Schedule as in Form TA 1*] ".

20. Form 7 shall be amended as follows:—

(1) The fourth column of the table shall be omitted.

(2) For the words " at the hour of in the noon " there shall be substituted the words " at o'clock ".

21. Form 8 shall be amended as follows:—

(1) In the heading—

(*a*) for the words " The Tithe Acts, 1836 to 1936 " there shall be substituted the words " The Tithe Acts, 1836 to 1951 " and

(*b*) for the words "Tithe Redemption Commission" there shall be substituted the words "Commissioners of Inland Revenue".

(2) In the first paragraph for the word "holden" there shall be substituted the word "held" and for the words "at the hour of in the noon" there shall be substituted the words "at o'clock".

22. Form 9 shall be amended as follows:—

(1) In the heading—

(*a*) for the words "The Tithe Acts, 1836 to 1936" there shall be substituted the words "The Tithe Acts, 1836 to 1951" and

(*b*) for the words "Tithe Redemption Commission" there shall be substituted the words "Commissioners of Inland Revenue".

(2) In the first paragraph the words "e.g." to "*as the case may be*" shall be omitted.

(3) The second paragraph shall be omitted.

(4) For the words "C.D. owner of the lands" to "[or G.K. solicitor of M.N.]" there shall be substituted the following words:—

"Signature of Respondent or Signature and address of Respondent's Solicitor"

23. Form 10 shall be amended as follows:—

(1) For the words "[*Heading as in Form* 3]" there shall be substituted the words "[*Heading as in Form TA* 1]".

(2) For the words "Tithe Redemption Commission" there shall be substituted the words "Commissioners of Inland Revenue".

(3) For the first paragraph there shall be substituted the words "Take notice that a notice of opposition a copy of which is attached has today been filed in the above-mentioned matter".

(4) For the words "at the hour of in the noon" there shall be substituted the words "at o'clock".

24. Form 11 shall be amended as follows:—

(1) For the words "[*Heading as in Form* 1]" there shall be substituted the words "[*Heading as in Form TA* 1]".

(2) The words "instalments of redemption" shall be omitted.

25. Form 13 shall be amended as follows:—

(1) For the words "[*Heading as in Form* 3]" there shall be substituted the words "[*Heading as in Form TA* 1]".

(2) In the first paragraph the words—

(*a*) "instalments of",

(*b*) "the First Part of" and

(*c*) "for the period of"

shall be omitted.

(3) In the second paragraph the words "including the lands described in the Second Part of the same Schedule" shall be omitted.

(4) For the words "[*Schedule as in Form* 3]" there shall be substituted the words "[*Schedule as in Form TA* 1]".

26. Form 16 shall be amended as follows:—

(1) For the words "[*Heading as in Form 5*]" there shall be substituted the words "[*Heading as in Form TA 1*]".

(2) In the first paragraph the words—

(*a*) "instalments of",

(*b*) "the First Part of" and

(*c*) "for the period of"

shall be omitted and at the end there shall be added the words "which are owned by the respondent and stated to be occupied by M.N. of ".

(3) In the second paragraph the words "whether as owner or" and "including the lands described in the Second Part of the same Schedule" shall be omitted.

(4) In the last paragraph for the words "Tithe Acts, 1836 to 1936" there shall be substituted the words "Tithe Acts, 1836 to 1951".

(5) For the Schedule there shall be substituted the words "[*Schedule as in Form TA 1*]".

27. Forms 1, 3, 5, 7, 8, 9, 10, 11, 13, 16 and 23 shall be renumbered and shall stand as Forms TA 1, TA 2, TA 3, TA 4, TA 5, TA 6, TA 7, TA 8, TA 9, TA 10 and TA 11 respectively.

28.—(1) The Commissioners of Inland Revenue shall be substituted as applicants in any proceedings pending on the first day of April, 1960, and Rule 39 of Order 5 of the County Court Rules, 1936(**a**), as amended, shall apply as if the substitution had been made under the Rules of that Order.

(2) Nothing in Rule 36 or 40 of Order 5 or Rule 6 of Order 25 of the County Court Rules shall apply to any such proceedings by reason only of the transfer of the functions of the Tithe Redemption Commission to the Commissioners of Inland Revenue, but the Commissioners shall, before taking any step in the proceedings, give notice to the respondent of the transfer.

29. The Tithe Rentcharge Recovery Rules, 1891(**b**), as amended, shall be further amended as follows:—

(1) Rule 16 shall be revoked.

(2) In the Appendix for the words "[*Heading as in Form 6*]" wherever they appear in Forms 10 to 21 there shall be substituted the words "[*Heading as in the Order for Recovery*]".

30.—(1) Rules 2 (1), 3 (1), 17 (2), 18 (6), 19 (7), 21 (1) (*b*), 22 (1) (*b*), 23 (2) and 28 of these Rules shall come into operation on the first day of April, 1960.

(**a**) S.R. & O. 1936/626 (Rev. V, p. 184: 1936 I, p 282). (**b**) Rev. XXII, p. 600.

(2) The remaining provisions of these Rules shall come into operation on the first day of January, 1960:

Provided that nothing in Rules 3 (2), 4 (2) (*a*), 5 (1), 17 (3) (*a*), 18 (2) (*a*), 19 (2) (*a*), 24 (2), 25 (2) (*a*) and 26 (2) (*a*) shall affect any proceedings for the recovery of any instalment of an annuity which became payable before the second day of October, 1958.

Dated the 23rd day of November, 1959.

Kilmuir, C.

EXPLANATORY NOTE

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

These Rules amend the Tithe Rules, 1937, in consequence of the coming into operation of the Finance Act, 1958, s. 38, which makes redemption annuities payable in one yearly sum instead of by half-yearly instalments, and the Tithe Redemption Commission (Transfer of Functions and Dissolution) Order, 1959 (S.I. 1959/1971), which transfers the functions of the Commission to the Commissioners of Inland Revenue. The Rules also make a number of minor improvements in the Rules of 1937 and delete various obsolete provisions and forms from those Rules and the Tithe Rentcharge Recovery Rules, 1891. In particular, it will no longer be necessary to join the occupier of the land as a respondent to an application for the recovery of annuities by the appointment of a receiver.

1959 No. 1971

The Tithe Redemption Commission (Transfer of Functions and Dissolution) Order, 1959

Laid before Parliament in draft
Made - - - - 20*th November*, 1959
Coming into Operation 1*st April*, 1960

At the Court at Buckingham Palace, the 20th day of November, 1959

Present,

The Queen's Most Excellent Majesty in Council

Whereas by section eleven of the Tithe Act, 1951(a), Her Majesty is empowered by Order in Council to provide for the transfer to any other Government Department of all or any of the functions of the Tithe Redemption Commission and to make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the Order, including provisions for the dissolution of the Tithe Redemption Commission if and when all their functions have been transferred :

(a) 14 & 15 Geo. 6. c. 62.