The Tithe (Change of Ownership of Land) Rules, 1951

1951 No. 1504

Made - - - -	*15th August*, 1951
Laid before Parliament	*16th August*, 1951
Coming into Operation	*1st September*, 1951

The Tithe Redemption Commission in pursuance of subsection (1) of Section 47 of the Tithe Act, 1936(a), and of paragraph 3 of the First Schedule to the Tithe Act, 1951(b), and in exercise of their powers under those Acts hereby make the following Rules:—

1. These Rules may be cited as The Tithe (Change of Ownership of Land) Rules, 1951, and shall come into operation on the first day of September, 1951.

2. The Redemption Annuities (Amendment) Rules, 1937(c), are hereby revoked.

3. The particulars required by paragraph 3 of the First Schedule to the Tithe Act, 1951 to be furnished to the Commission shall be in the form set out in the Schedule to these Rules or to the like effect.

4. In these Rules:

"Tithe Area" means the land in respect of which an annuity is charged;

"Instrument" means an instrument whereby an estate or interest in any land, in respect of which an annuity is charged, is disposed of or created so as to bring about a change in the ownership of the land.

In witness whereof the Official Seal of the Tithe Redemption Commission is hereunto affixed this 15th day of August, 1951.

(L.S.) *H. G. Richardson,*
Secretary to the Commission.

SCHEDULE

FORM IN WHICH PARTICULARS ARE TO BE FURNISHED OF AN INSTRUMENT

Tithe Act, 1951, First Schedule, paragraph 3

Notice of Change of Ownership of land in respect of which a redemption annuity is charged.

(A separate form should be used for each Instrument.)

Particulars furnished to the Tithe Redemption Commission by the person who was the owner of the land immediately before the execution of the Instrument, or by the person, if other than the owner, by whom any estate or interest in the land was disposed of or created so as to bring about a change in the ownership of the land.

Reference number (to be filled in by the Commission).

County: Parish or Place:

Name of Person by whom or on whose behalf these particulars are furnished; stating, if he was not the owner, in what capacity he acted.

(a) 26 Geo. 5 & 1 Edw. 8. c. 43. (b) 14 & 15 Geo. 6. c. 62.
(c) S.R. & O. 1937 (No. 231) p. 2296.

By virtue of (here specify the Instrument) dated the day of 19 , and made between *or* under the hands and seals of

the land described in the first column of the underwritten statement, being land in respect of which an annuity is charged, became vested for an estate in fee simple *or* for a term *or* the residue of a term of years from the day of 19 in the person whose name and address appear in the second column of the said statement.

Dated this day of 19 .

(*To be signed by the person who was the owner of the land immediately before the execution of the Instrument or by whom an estate or interest in the land was disposed of or created so as to bring about a change of ownership or by the solicitor or duly authorised agent of such person.*)

To The Secretary
Tithe Redemption Commission.

STATEMENT

I	II	III Tithe Area (See note)			IV Apportionment agreed by new owner (See note)
Land transferred (See note)	Name and address of new owner (See note)	Tithe District	No. of Tithe Area	Amount of Annuity	
				£ s. d.	£ s. d.

Notes

(These particulars are required to be furnished within one month from the date of the Instrument)

Column I.—The description of the land must consist of full extracts from the Instrument, together with a copy of any plan to it. If Column III be filled in, or if the land be described by reference to Ordnance Survey Numbers, the edition of the map from which they are taken being given, the description in Column I may be abbreviated and consist of a reference to the description in Column III or to the Ordnance Survey Numbers. The object of the information is to enable the land the subject of the disposition to be identified with land in respect of which an annuity is charged.

Column II.—If the Instrument creates more than one new owner (joint owners being one owner), the name and address of each new owner must be written against the appropriate item in Column I.

Column III.—If this column be filled in by the person furnishing the particulars, the description in Column I may be abbreviated. Where the land the subject of the disposition includes only part of a tithe area, the word " part " should be written after the number in the second sub-column; in any such case it will be necessary to give sufficient particulars from the Instrument (including a copy of the plan, if any, or part of it) to identify that part of the tithe area the ownership of which is changed.

Column IV.—This column must be filled in to show that portion of the annuity, if any, which the new owner has agreed should be borne by him in respect of the land the subject of the disposition. It is applicable only where a part of a tithe area is transferred and if in any such case there is no agreement for an apportionment, the word " none " should be written in this column.

EXPLANATORY NOTE

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

When the ownership is changed of any land in respect of which a redemption annuity is charged, paragraph 3 of the First Schedule to the Tithe Act, 1951, makes it the duty of the former owner, or of the person (not always the owner) by whom the change has been effected, to furnish to the Tithe Redemption Commission particulars of the Instrument whereby the change has been made, and of the name and address of every person who has thereby become an owner of the land or of any part thereof. These rules prescribe the Form in which these particulars are to be furnished. This Form takes the place of a similar Form prescribed (by S.R. & O. 1937 No. 231) for the similar purposes of Section 18 (9), which has now been repealed, of the Tithe Act, 1936.

The Tithe Fees Rules, 1951

1951 No. 1534

Made - - - -	*20th August*, 1951
Laid before Parliament	*21st August*, 1951
Coming into Operation	*1st September*, 1951

By virtue and in exercise of the powers conferred by subsection (2) of Section 7 and by subsection (4) of Section 10 of the Tithe Act, 1951(a), the Tithe Redemption Commission, with the approval of the Treasury, hereby make the following rules:—

1. In these Rules—

(*a*) "Commission" means the "Tithe Redemption Commission" and

(*b*) "corn rent annuity" means an annuity charged on land for the redemption of tithe rent charge or of a corn rent, rentcharge or money payment redeemed under the Tithe Acts, 1836 to 1936.

2. These Rules may be cited as The Tithe Fees Rules, 1951, and shall come into operation on the first day of September, 1951.

3. The fees set out in the Schedules to these Rules shall be payable for and in respect of the matters therein more particularly described.

In witness whereof the Tithe Redemption Commission have caused their Official Seal to be hereunto affixed this 15th day of August, 1951.

(L.S.)

H. G. Richardson,
Secretary to the
Tithe Redemption Commission.

Approved.

W. A. Wilkins,
H. W. Bowden,
Two of the Lords Commissioners of
His Majesty's Treasury.

20th August, 1951.

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