STATUTORY INSTRUMENTS

1962 No. 1937

TITHES, ENGLAND

The Tithe (Change of Ownership of Land) Rules 1962

Made - - - -	*3rd September* 1962
Laid before Parliament	*7th September* 1962
Coming into Operation	*2nd October* 1962

The Commissioners of Inland Revenue, in exercise of the power conferred by Schedule 1, paragraph 3 of the Tithe Act 1951(a), read in accordance with Section 12 (2) of that Act and Section 47 (1) of the Tithe Act 1936(b), as adapted by Article 3 (2) of the Tithe Redemption Commission (Transfer of Functions and Dissolution) Order 1959(c), hereby make the following Rules:—

1. These Rules may be cited as the Tithe (Change of Ownership of Land) Rules 1962, and shall come into operation on 2nd October 1962.

2. The Tithe (Change of Ownership of Land) Rules 1951(d) are hereby revoked.

3. The particulars required to be furnished by Schedule 1, paragraph 3 of the Tithe Act 1951, shall be in the form set out in the Schedule to these Rules, or to the like effect.

By Order of the Commissioners of Inland Revenue.

A. J. N. Miller,
Secretary.

3rd September 1962.

(a) 14 & 15 Geo. 6. c. 62. (b) 26 Geo. 5 & 1 Edw. 8. c. 43.
(c) S.I. 1959/1971 (1959 II, p. 2618). (d) S.I. 1951/1504 (Rev. XXII, p. 667: 1951 II, p. 774).

SCHEDULE

TITHE ACT 1951, SCHEDULE 1, 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 Commissioners of Inland Revenue (Tithe Redemption Office) by the person who was the owner of the land immediately before the execution of the Instrument which effected the change of ownership, or by the person, if other than the owner, by whom an estate or interest in the land was disposed of or created so as to bring about the change of ownership.

REFERENCE NUMBER (*to be filled in by the Tithe Redemption Office*)

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:—

BY VIRTUE of (*describe the Instrument*)

dated the day of 19
and made by or between (*parties*)

an estate or interest in the land described in the first column of the underwritten statement was disposed of or created for a consideration in money or money's worth (*if no consideration in money or money's worth, insert "otherwise than" after "created"*), and the said land thereby 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(s) whose name(s) and address(es) appear in the second column of the said statement.

Dated this day of 19

Signature

Address

Designation

(*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 CONTROLLER,
TITHE REDEMPTION OFFICE,
INLAND REVENUE.

STATEMENT

I.	II.	III.			IV.
Land Transferred (*See note*)	Name(s) and Address(es) of New Owner(s)	Tithe Area (*See note*)			Apportionment Agreed by New Owner(s) (*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 dispositon to be identified with land in respect of which an annuity is charged.

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, Schedule 1, paragraph 3 of 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 Commissioners of Inland Revenue 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, replacing that previously prescribed, requires the same information as before, with the addition of information as to the consideration for the change of ownership.