

SCHEDULES

SCHEDULE 1

Sections 1, 2, 6.

RATE SUPPORT GRANTS.

PART I

THE NEEDS ELEMENT

Payments comprised in the element.

- 1 (1) The amount of the needs element of rate support grant payable for any year to a local authority other than the Greater London Council shall, subject to paragraphs 11 to 13 of this Part of this Schedule, be the aggregate of the basic payment specified in paragraph 2 of this Part of this Schedule and of the supplementary payments specified in paragraphs 3 to 10 of this Part of this Schedule which are payable in accordance with those paragraphs.
- (2) The provision to be made by a rate support grant order in pursuance of paragraphs 2 to 10 of this Part of this Schedule shall be such as to secure, to the best of the information available to the Minister when he makes the order, that the aggregate amount of the needs element which will be paid for each year shall approximate as nearly as may be to the aggregate amount of that element fixed by the order for that year.

The basic payment.

- 2 The basic payment shall be a payment of an amount equal to the aggregate of—
 - (a) an amount arrived at by multiplying a prescribed sum by the population; and
 - (b) an amount arrived at by multiplying a prescribed sum by the estimated number of persons under fifteen years of age in the population.

Supplementary payments.

- 3 A supplementary payment shall be payable of an amount arrived at by multiplying a prescribed sum by the estimated number of persons under five years of age in the population.
- 4 A supplementary payment shall be payable of an amount arrived at by multiplying a prescribed sum by the estimated number of persons over sixty-five years of age in the population.
- 5 A supplementary payment shall be payable if the number of education units per thousand persons in the population exceeds a prescribed number, and the payment shall be a prescribed sum multiplied by the excess and by the population.

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- 6 A supplementary payment shall be payable if the population per acre of the area of the authority exceeds a prescribed number, and the amount of the payment shall be the percentage of the basic payment arrived at by multiplying the excess by a prescribed percentage.
- 7 A supplementary payment shall be payable if the road-mileage of the area of the authority per thousand persons in the population exceeds a prescribed number, and the amount of the payment shall be the smallest of the following amounts, that is to say—
- (a) a prescribed fraction of the basic payment;
 - (b) a prescribed percentage of the basic payment multiplied by the said road-mileage per thousand persons;
 - (c) such proportion of the basic payment as the difference between the said road-mileage per thousand persons and the prescribed number bears to the prescribed number.
- 8 A supplementary payment shall be payable of an amount equal to the aggregate of—
- (a) an amount arrived at by multiplying the road-mileage of the area of the authority (excluding trunk roads) by a prescribed sum; and
 - (b) an amount arrived at by multiplying the road-mileage of the roads classified as principal roads under section 27 of this Act in the area of the authority by—
 - (i) a prescribed sum, or
 - (ii) if the population falls short of or exceeds a prescribed number per mile of those roads, that sum reduced, or as the case may be increased, by another prescribed sum for each hundred persons in the short-fall or excess, but not in any case reduced below a further prescribed sum.
- 9 A supplementary payment shall be payable if the population has declined over a prescribed period and the percentage decline over that period exceeds a prescribed percentage, and the amount of the payment shall be an amount equal to the percentage of the basic payment arrived at by multiplying the excess by a prescribed fraction or number.
- 10 (1) A supplementary payment shall be payable if the area of the authority or a part of it lies within the metropolitan district, and the amount of the payment shall be a prescribed percentage of the basic payment, being such percentage as appears to the Minister appropriate having regard to the higher level of prices, costs and remuneration in and around the area.
- (2) Different percentages may be prescribed for the purposes of this paragraph in relation to authorities whose areas lie wholly within the metropolitan district and authorities whose areas lie partly within the district and partly outside it.
 - (3) In this paragraph " metropolitan district " means Greater London together with the remainder of the Metropolitan Police District.

Special provision for inner London.

- 11 (1) The Minister may by regulations provide that such proportion as may be determined by or under the regulations of the amount of the needs element for any year which, apart from this paragraph, would be payable to the council of an inner London borough or the Common Council shall be payable to the Greater London Council

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instead of to the council aforesaid; and the regulations may make different provision with respect to different councils.

- (2) Before making regulations under this paragraph, the Minister shall consult with any association or committee which appears to him to be representative of the councils of the inner London boroughs and with the Common Council and the Greater London Council.

Adjustments to prevent over-payments etc. and for pooling arrangements.

- 12 If when the needs element for any year falls to be paid it appears to the Minister that the aggregate amount of that element will exceed or fall short of its aggregate amount as fixed by the relevant rate support grant order, the Minister shall adjust the amount of that element payable to each local authority as nearly as may be in the proportion which the aggregate amount of the element as so fixed bears to the amount, as estimated by the Minister, which would be the aggregate amount of that element for that year apart from this paragraph.
- 13 (1) The needs element shall be subject to adjustment, in accordance with the following provisions of this paragraph, in respect of expenditure to which this paragraph applies.
- (2) The appropriate Minister may by regulations provide for ascertaining the aggregate of the expenditure to which this paragraph applies of all local authorities, for apportioning the aggregate among the authorities and for ascertaining the amount by which the needs element payable to each authority ought to be increased or decreased.
- (3) The appropriate Minister shall, in accordance with regulations made by him under this paragraph, certify to the Minister at such time as may be specified by the regulations—
- (a) the estimated amount of the increases and decreases of the needs element which ought to be made for any year;
 - (b) the actual amount of those increases and decreases,
- and the Minister shall in paying the needs element for any year adjust the amount of that element in accordance with the certified estimated amounts and shall in paying that element for the earliest practicable subsequent year make any adjustment necessary to offset differences between the estimated and actual amounts certified.
- (4) Subject to the next following sub-paragraph, this paragraph applies to expenditure incurred—
- (a) in establishing, maintaining or assisting colleges or other institutions for the training of teachers or in providing or assisting the provision of other facilities specified in directions under section 62 of the Education Act 1944 ;
 - (b) in making payments, in such cases as may be specified by regulations made by the appropriate Minister under this paragraph, to or in respect of persons taking teachers' training or further training courses ;
 - (c) in the provision, or in assisting the provision, of such facilities for further education of an advanced character as may be specified by or under regulations so made ;
 - (d) in the making of provision for primary, secondary or further education of pupils not belonging to the area of any local education authority ;

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- (e) in the training of persons to undertake educational research or to become educational psychologists, health visitors or midwives or in respect of persons who are being so trained.
- (5) The appropriate Minister may, after consultation with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable, provide by regulations—
- (a) that this paragraph shall apply to such expenditure as may be specified by the regulations which is incurred by local authorities—
 - (i) upon research into any of their functions, or
 - (ii) in the training of persons in matters connected with the functions of local authorities, or
 - (iii) in respect of persons to whom the training is given, or
 - (iv) in providing, for persons who suffer from any disability of mind or body, education by special methods appropriate for persons suffering from that disability ;
 - (b) that any expenditure to which this paragraph applies shall cease to be such expenditure.
- (6) Any reference in this paragraph to a local authority does not include a reference to the council of a county district.

Miscellaneous.

- 14 The Minister may, by a rate support grant order, vary, repeal or add to any of the provisions of paragraphs 2 to 10 of this Part of this Schedule, and any reference in this Act to those provisions includes a reference to them as altered by virtue of this paragraph ; but if the power conferred by this paragraph is exercised by a rate support grant order it shall not be exercised by the next following rate support grant order.
- 15 Notwithstanding anything in section 1(5) of this Act, payments made to the Greater London Council in respect of the needs element shall be made in aid of the expenditure of the Council chargeable on the area comprising the inner London boroughs and the City of London ; but the Council may make such adjustments between their accounts as they consider appropriate in consequence of the operation of paragraph 13 of this Schedule.
- 16 For the purposes of this Part of this Schedule the Inner and Middle Temples shall be treated as part of the City of London.
- 17 In this Part of this Schedule " population ", in relation to a local authority, means the estimated number of persons in the population of the area of the authority.

PART II

THE RESOURCES ELEMENT

Condition and amount of payment.

- 1 The resources element shall not be payable to a local authority for any year unless the product of a rate of one penny in the pound for the area of the authority for that year is less than the standard penny rate product for the area for that year.

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- 2 The amount of the resources element payable to a local authority for any year shall, subject to paragraphs 10 and 11 of this Part of this Schedule, be the amount which bears to the expenditure of the authority for that year the same proportion as the difference between the rate products mentioned in paragraph 1 above bears to the standard penny rate product for the area of the authority for that year.

Calculation of standard penny rate product.

- 3 (1) For the purposes of this Part of this Schedule, the standard penny rate product for an area for any year is the sum which bears to the product of a rate of one penny in the pound for that year for the whole of England and Wales the same proportion as the population of the area bears to the population of England and Wales ; but in ascertaining the standard penny rate product for a county or county borough the population of any county in the case of which the ratio of the population to the road-mileage of the county is less than seventy shall be increased by one half of the additional population needed in order that the population divided by the road-mileage should be seventy.
- (2) In this paragraph " population " means estimated population.

Calculation of expenditure.

- 4 In ascertaining the expenditure of any authority (other than the Greater London Council) for any year for the purposes of this Part of this Schedule, there shall be deducted from the amount which would be the amount of that expenditure apart from this paragraph the amount of any needs element payable to that authority for that year.
- 5 For the purposes of this Part of this Schedule, the expenditure of a county council or the Greater London Council shall be so much of the total expenditure of the council for the year in question for general county or general London purposes as would have fallen to be met out of rates levied within the county or Greater London if no resources element were payable.
- 6 For the purposes of this Part of this Schedule, the expenditure of a local authority other than a county council and the Greater London Council shall be so much of the total expenditure of the authority for the year in question as would have fallen to be met out of rates levied within the area of the authority if no resources element were payable and, in the case of a local authority in Greater London, section 66 of the London Government Act 1963 (which provides for schemes for equalising rates) had not been passed, excluding the cost of the collection of rates as ascertained in accordance with rules under section 25 of this Act.
- 7 Any expenditure in pursuance of section 25 of the Land Drainage Act 1961 (which enables rating authorities to pay to drainage boards the aggregate amounts of the drainage rate for so much of their area as is within a drainage district) shall be disregarded for the purposes of paragraph 6 above.
- 8 For the purposes of this Part of this Schedule, sums payable by a local authority by virtue of a precept issued by a county council or the Greater London Council, in so far as payable in respect of expenditure of the council for general county or general London purposes, shall not be treated as expenditure of the authority paying those sums.

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- 9 For the purposes of this Part of this Schedule, the amount of the expenditure of an authority falling to be met out of rates shall be ascertained without regard to any reduction of grant made under section 4 of this Act.

Adjustment of resources element.

- 10 Paragraph 12 of Part I of this Schedule shall apply in relation to the resources element as it applies in relation to the needs element.
- 11 (1) If the Minister is satisfied, as respects the councils of county districts in any county, that the part of their expenditure, as ascertained for the purposes of this Part of this Schedule, which is attributable to expenditure of the county council for special county purposes bears such a proportion to the whole of their expenditure as so ascertained that the provisions of this Act relating to the resources element will not apply equitably in relation to the county without modification, the Minister may make a scheme for applying those provisions with such modifications as may be specified in the scheme.
- (2) A scheme under this paragraph may be varied or revoked by a subsequent scheme made by the Minister.

PART III

THE DOMESTIC ELEMENT

- 1 There shall for each year be prescribed, for the purposes of section 6 of this Act, an amount in the pound which in the opinion of the Minister corresponds to the amount of the domestic element prescribed for that year in pursuance of section 1(4) of this Act.
- 2 The amount of the domestic element payable to a local authority for any year shall be determined in the manner provided by regulations made by the Minister after consultation with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable.
- 3 For the purposes of the provisions of this Act relating to the domestic element, the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple shall be deemed to be local authorities.
- 4 Any amounts payable to a local authority in respect of the domestic element shall be taken into account for the purposes of this and any other Act as if they were payable on account of rates.

SCHEDULE 2

Section 22.

RATING OF UNOCCUPIED PROPERTY.

Determination of rateable values.

- 1 (1) Subject to the provisions of this Schedule, the rateable value of a hereditament for the purposes of section 21 of this Act shall be the rateable value ascribed to it in the valuation list in force for the area in which the hereditament is situated or, if the

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hereditament is not included in that list, the first rateable value subsequently ascribed to the hereditament in a valuation list in force for that area.

- (2) If the relevant period of vacancy in respect of a hereditament begins before and ends at or after the time when a new valuation list comes into force for the area of the rating authority and the hereditament is not included in the previous valuation list, then—
 - (a) the valuation officer shall, at the request of the rating authority or the owner of the hereditament, certify to that authority the rateable value which in his opinion would (in accordance with section 17 of this Act) have been ascribed to the hereditament if it had been included in the previous list by alteration of that list;
 - (b) the provisions of Part III of the Local Government Act 1948 shall apply in relation to any such certificate as if it were a proposal by the valuation officer for the alteration of a valuation list; and
 - (c) for the purposes of the liability of the owner to be rated in respect of so much of the relevant period of vacancy as fell before the coming into force of the new valuation list, the rateable value of the hereditament shall be taken to be the value as settled in pursuance of the certificate and any proceedings consequent thereon.
- (3) Where two or more persons are or have been severally entitled to possession of different parts of any property which is included in a valuation list as a hereditament or to which a certificate under sub-paragraph (2) of this paragraph relates and any of those parts—
 - (a) consists of property suitable for inclusion in a valuation list as a separate hereditament; and
 - (b) would be a relevant hereditament if it were included in a valuation list as a separate hereditament,

the part may be treated as a relevant hereditament for the purposes of sections 21 and 22 of this Act and this Schedule and the valuation officer may give such directions as he thinks fit for apportioning between those parts the rateable value ascribed to the property by the list or certificate aforesaid.

- 2 (1) A rating authority may request the valuation officer to make a proposal for including in the valuation list in force for their area any unoccupied building in their area (together with any garden, yard, court or other land intended for use for the purposes of the building) which in their opinion is, or when completed will be, a newly erected dwelling-house; and if the valuation officer thinks fit to comply with the request he may make a proposal for including the building (together with any such garden, yard, court or other land as aforesaid) as a dwelling-house in that list and for ascribing to it in the list such values as he considers are appropriate or will be appropriate when the building is completed.
- (2) Where such a request is made by a rating authority and the valuation officer serves notice in writing by post or otherwise on the authority stating that he does not propose to comply with the request, the rating authority may, if they think fit, within the period of twenty-eight days beginning with the date of service of the notice, make a proposal for including the building and any other land to which the request relates as a dwelling-house in the list aforesaid and for ascribing to it in the list such values as the authority consider are appropriate or will be appropriate when the building is completed.
- (3) Where a new valuation list is prepared for any area, the valuation officer shall include in the list as transmitted to the rating authority—

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- (a) any dwelling-house included in the current list for that area in pursuance of a proposal under sub-paragraph (1) or (2) of this paragraph ; and
- (b) any building (with or without other land) in respect of which a proposal for its inclusion in the current list as a dwelling-house has been made by him under the said sub-paragraph (1) and has not been settled,

and, if any such proposal is made by him after the new list has been so transmitted, shall cause that list to be altered so as to include the building (with or without other land) as a dwelling-house in the new list.

- (4) Where a newly erected dwelling-house is first occupied after its completion and a rateable value has, in pursuance of the foregoing provisions of this paragraph, previously been ascribed to it in the valuation list currently in force for the area in which it is situated, any different rateable value subsequently ascribed to it in that list and which, apart from this sub-paragraph, would have effect from the date when the dwelling-house is first occupied as aforesaid shall be deemed to have effect from the date on which the current list came into force or the date from which the previous rateable value had effect, whichever is the later.

Completion of newly erected or altered buildings.

- 3 For the purposes of section 21 of this Act, a newly erected building which is not occupied on the date determined under the following provisions of this Schedule as the date on which the erection of the building is completed shall be deemed to become unoccupied on that date.

- 4 (1) Where a rating authority are of opinion—
 - (a) that the erection of a building within their area has been completed ; or
 - (b) that the work remaining to be done on a building within their area is such that the erection of the building can reasonably be expected to be completed within three months,

and that the building is, or when completed will be, comprised in a relevant hereditament, the authority may serve on the owner of the building a notice (hereafter in this paragraph referred to as " a completion notice ") stating that the erection of the building is to be treated for the purposes of this Schedule as completed on the date of service of the notice or on such later date as may be specified by the notice.

- (2) If a person on whom a completion notice is served agrees in writing with the authority by whom the notice was served that the erection of the building to which the notice relates shall be treated for the purposes of this Schedule as completed on a day specified by the agreement, it shall be treated for those purposes as completed on that day and the notice shall be deemed to be withdrawn.
- (3) Where a rating authority has served a completion notice on any person, the authority may withdraw the notice by a subsequent notice served on that person; and a notice under this sub-paragraph may be served—
 - (a) at any time before an appeal in pursuance of sub-paragraph (4) of this paragraph is brought against the completion notice ; and
 - (b) with the agreement of the person aforesaid, at any time thereafter and before the appeal is determined.

- (4) A person on whom a completion notice is served may, during the period of twenty-one days beginning with the date of service of the notice, appeal to the county court against the notice on the ground that the erection of the building to which the notice

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relates has not been or, as the case may be, cannot reasonably be expected to be completed by the date specified by the notice.

- (5) If a completion notice served in respect of a building is not withdrawn and no appeal in pursuance of sub-paragraph (4) of this paragraph is brought against the notice or such an appeal is abandoned or dismissed, the erection of the building shall be treated for the purposes of this Schedule as completed on the date specified by the notice ; and if the notice is not withdrawn and such an appeal is brought and is not abandoned or dismissed, the erection of the building shall be treated for those purposes as completed on such date as the court shall determine.
- (6) A notice under this paragraph may, without prejudice to any other mode of service, be served on any person—
- (a) by sending it in a prepaid registered letter, or by the recorded delivery service, addressed to that person at his usual or last known place of abode or, in a case where an address for service has been given by that person, at that address ; or
 - (b) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office, or sending it in a prepaid registered letter, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office ; or
 - (c) where the name or address of that person cannot be ascertained after reasonable inquiry, by addressing it to him by the description of " owner " of the building (describing it) to which the notice relates and by affixing it to some conspicuous part of the building.

5 In the case of a building to which work remains to be done of a kind which is customarily done to a building of the type in question after the erection of the building has been substantially completed, it shall be assumed for the purposes of paragraph 4 of this Schedule that the erection of the building has been or can reasonably be expected to be completed at the expiration of such period beginning with the date of its completion apart from the work as is reasonably required for carrying out the work.

6 Where by reason of the structural alteration of any building a relevant hereditament becomes or becomes part of a different hereditament or different hereditaments, the relevant hereditament shall be deemed for the purposes of this Schedule to have ceased to exist on the date (as determined in pursuance of the foregoing provisions of this Schedule) of the completion of the structural alteration and, in particular, to have been omitted on that date from any valuation list in which it is then included ; but nothing in this paragraph shall be construed as affecting any liability for rates under section 21 of this Act in respect of the hereditament for any period before that date.

Supplemental.

7 (1) Where a person for the time being liable to be rated under section 21 of this Act in respect of a relevant hereditament which is not included in a valuation list, or in respect of a dwelling-house included in such a list in pursuance of paragraph 2 of this Schedule but not occupied since it was so included, serves on the valuation officer a notice referring to the hereditament or dwelling-house and stating his name and address and that he is so liable, then, in relation to any proposal for including the hereditament in a valuation list or, as the case may be, any proposal served in

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respect of the dwelling-house before the end of the rate period during which it is first occupied after it was so included in the list, the person aforesaid shall be treated for the purposes of the provisions of Part III of the Local Government Act 1948 relating to proposals, objections and appeals as standing in the same position as the occupier of the hereditament or dwelling-house.

- (2) A notice served under sub-paragraph (1) of this paragraph in respect of such a hereditament as is there mentioned which subsequently becomes such a dwelling-house as is there mentioned shall be treated as served in respect of the dwelling-house as well as in respect of the hereditament.
- (3) Where, in pursuance of such a proposal in respect of a dwelling-house as is mentioned in sub-paragraph (1) of this paragraph, an alteration is made in a valuation list which affects the amount of any rate levied under section 21 of this Act in respect of the dwelling-house, the difference, if too much has been paid, shall be repaid or allowed or, if too little has been paid, shall be paid and may be recovered as if it were the arrears of the rate.
- (4) References in sub-paragraph (1) of this paragraph to a person liable as there mentioned include references to a person who would be so liable if a relevant period of vacancy had begun in relation to the hereditament or dwelling-house in question.
- 8 No rate shall be payable under the said section 21 in respect of a hereditament for any period during which it is deemed by virtue of subsection (4) of that section to have been unoccupied ; and any rate paid under that section in respect of such a period shall be recoverable by the person by whom it was paid.
- 9 Any amount due in respect of rates payable by virtue of section 21 of this Act shall, without prejudice to the operation of any other enactment under which it is recoverable, be recoverable as a simple contract debt in any court of competent jurisdiction.
- 10 In calculating any period for the purposes of section 21 of this Act or this Schedule, any period when that section is not in force in the rating area in question shall be disregarded ; but the fact that the said section 21 has ceased to be in force in any area shall not affect the operation of that section as respects any period when it was in force in the area.
- 11 In this Schedule—
- " building " includes part of a building ;
- " owner ", in relation to a building, means the person entitled to possession of the building ; and
- " relevant hereditament " and " relevant period of vacancy " have the same meanings as in section 21 of this Act,
- and references to a newly erected building or dwelling-house include references to a building or dwelling-house produced by the structural alteration of a building included in a relevant hereditament which by virtue of paragraph 6 of this Schedule has ceased or will cease to exist on the completion of the structural alteration and, in relation to a building or dwelling-house so produced, references to erection of a building shall be construed as references to the structural alteration producing it.

SCHEDULE 3

Section 35.

LICENCES ETC.

PART I

ENACTMENTS CEASING TO HAVE EFFECT

- 1 The Agricultural Gangs Act 1867.
- 2 The Gun Licence Act 1870.
- 3 In section 172 of the Public Health Act 1875, the words from the beginning to "charge" where it first occurs and the words from " also " to " may ".
- 4 The Hawkers Act 1888.
- 5 Sections 341 to 352 of the Merchant Shipping Act 1894, in section 365(1) of that Act paragraph (d) and the words "(e) emigrant runners ", and section 23 of the Merchant Shipping Act 1906.
- 6 Section 84 of the Public Health Acts Amendment Act 1907.
- 7 Sections 249(1), 250, 251(1)(a) and (b) and 252 of the Public Health Act 1936.

PART II

VARIATION OF FEES FOR LICENCES, REGISTRATION ETC.

<i>Enactments specifying fees</i>	<i>Relevant Minister</i>
1. Sections 2, 7 and 13 of the Game Licences Act 1860.	} The Treasury.
2. Section 9 of the Revenue (No. 2) Act 1861.	
3. Section 37 of the Pawnbrokers Act 1872.	
4. Section 5 of the Customs and Inland Revenue Act 1883.	
5. Section 1(1) of the Moneylenders Act 1927, excluding the proviso.	
6. Section 6 of the Theatres Act 1843	
7. Section 46 of the Town Police Clauses Act 1847.	
8. Section 5 of the Pedlars Act 1871	} The Secretary of State.
9. Sections 15, 18 and 21 of the Explosives Act 1875.	
10. Paragraph 1 of section 51 of the Public Health Acts Amendment Act 1890.	

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<i>Enactments specifying fees</i>	<i>Relevant Minister</i>
11. Section 94(1) of the Public Health Acts Amendment Act 1907.	} The Secretary of State.
12. Section 2(5) of the Cinematograph Act 1909.	
13. Section 5(1) of the Official Secrets Act 1920.	
14. Section 5(3) of the Performing Animals (Regulation) Act 1925.	
15. Section 3 of the Theatrical Employers Registration Act 1925.	
16. Section 3(5) of the Home Counties (Music and Dancing) Licensing Act 1926 (including subsection (5) as applied by any provision of a local Act).	
17. Schedule 1 to the Petroleum (Consolidation) Act 1928.	
18. Section 1(4) of the Petroleum (Transfer of Licences) Act 1936.	
19. Sections 3, 8(2) and 9(2) of the Firearms Act 1937.	
20. Section 4(1)(b) of the War Charities Act 1940 (including paragraph (b) as applied by section 41 of the National Assistance Act 1948).	
21. Section 1(2) of the Pet Animals Act 1951.	
22. Section 30(1) of the Adoption Act 1958.	
23. Paragraph 11 of Schedule 2, paragraph 12 of Schedule 3, paragraph 4 of Schedule 6 and paragraphs 3 and 9 of Schedule 7 to the Betting, Gaming and Lotteries Act 1963.	
24. Paragraphs 3 and 6 of Schedule 12 to the London Government Act 1963.	
25. Section 1(2) of the Animal Boarding Establishments Act 1963.	
26. Section 1(2) of the Riding Establishments Act 1964.	
27. Any provision of a local Act specifying a fee or maximum fee in respect of a licence relating to the provision of music or dancing or any other enter-ment of the like kind or to a display, contest or exhibition of boxing or wrestline.	

<i>Enactments specifying fees</i>	<i>Relevant Minister</i>
28. Section 3(10) of the Slaughter of Animals Act 1958.	} The Minister of Agriculture, Fisheries and Food.
29. Section 1(1) of the Dog Licences Act 1959.	
30. Section 187(2) of the Public Health Act 1936 (including subsection (2) as applied by section 14 of the Mental Health Act 1959).	
31. Section 37(2) of the National Assistance Act 1948 (including subsection (2) as applied by section 19 of the Mental Health Act 1959).	} The Minister of Health.
32. Sections 2(1), 6(1) and 7(1) of the Rag Flock and Other Filling Materials Act 1951.	The Minister of Housing and Local Government.

SCHEDULE 4

Section 38.

MINOR AMENDMENTS OF ENACTMENTS RELATING TO
RATING AND VALUATION PREPARATORY TO CONSOLIDATION.

- 1 References to a rate—
- (a) in section 4 of the Poor Relief Act 1743 and in the Poor Rate Act 1801, shall be construed as references to that rate whether as originally made (in whatever form) or as it has been applied in relation to particular hereditaments ;
- (b) in section 52 of the Local Government Act 1948, except in subsection (1) (c)(i) thereof, shall be construed as references to that rate as it has been applied as aforesaid,
- and in subsection (3) of the said section 52 for the words " originally made " there shall be substituted the words " first applied in relation to the hereditament in question or, as the case may require, as first amended in respect of that hereditament under paragraph (c) of that subsection " .
- 2 Any reference in section 4 of the Poor Relief Act 1743 or in the Poor Rate Act 1801 to the giving of notice to the churchwardens or overseers shall, notwithstanding anything in the Overseers Order 1927, be construed as a reference to the giving of notice to the rating authority; and—
- (a) section 59 of the Rating and Valuation Act 1925 (which relates to the service of notices) shall apply to the service of notices required for the purposes of the said section 4 or of the said Act of 1801 as it applies to the service of notices required for the purposes of the said Act of 1925 ;
- (b) without prejudice to the provisions of the Quarter Sessions Act 1849, the said section 4 from " but if " onwards and sections 4 and 5 of the said Act of 1801 shall cease to have effect.
- 3 In sections 4(c) and 5 of the Rating Act 1874, for the words " assessment committee " there shall be substituted the words " valuation officer " .

- 4 In section 6(1) of the Rating Act 1874, after the words " event of " there shall be inserted the word " such ".
- 5 Section 7 of the Rating Act 1874 (which relates to the valuation of tin, lead and copper mines) shall have effect as if for the words " the gross value of the mine shall be taken to be the annual amount of the whole of the dues payable in respect thereof during the year ending on the thirty-first day of December preceding the date at which the valuation list is made " there were substituted the words " the gross value of the mine for the purposes of any rate period shall be taken to be the annual amount of the whole of the dues payable in respect of the mine during the year ending with 31st December falling between three and fifteen months before the beginning of that rate period " ; and the valuation officer may estimate that annual amount for the purposes of the preparation of a new valuation list falling to be signed before the end of that year.
- 6 In section 2 of the Rating and Valuation Act 1925, subsections (1) and (5) shall apply to a rural rating area as they apply to an urban rating area, and accordingly the following enactments shall cease to have effect, that is to say—
- (a) in the said subsection (1), the word " urban ";
 - (b) subsection (2) of the said section 2 ;
 - (c) subsection (8) of the said section 2 ;
 - (d) section 4(1) of the Rating and Valuation (Miscellaneous Provisions) Act 1955.
- 7 In section 4(6) of the Rating and Valuation Act 1925, at the end there shall be added the words " or to any precept ".
- 8 In section 9(3) of the Rating and Valuation Act 1925, for the words " at the commencement of this Act" there shall be substituted the words " immediately before the scheme is proposed to come into force " , and paragraph 5(4) of Schedule 15 to the London Government Act 1963 shall cease to have effect.
- 9 In section 13(2) of the Rating and Valuation Act 1925 after the word "under" there shall be inserted the words " subsection (1)(a)of ".
- 10 In the following enactments, that is to say:—
- (a) section 7 of the Rating Act 1874 ;
 - (b) section 22(4) of the Rating and Valuation Act 1925 as added by section 5(3) of the Rating and Valuation (Miscellaneous Provisions) Act 1955 ;
 - (c) section 2(2) of the Rating and Valuation (Apportionment) Act 1928;
 - (d) section 72 of the Local Government Act 1929 ;
 - (e) sections 57(1), 86(1) and 91 of the Local Government Act 1948;
 - (f) section 6(6) of the said Act of 1955 ;
 - (g) sections 18(4) and 22(1) of the Rating and Valuation Act 1961 ;
 - (h) section 3(10) of the Gas Act 1965,
- for the words " dwelling-house " or " dwelling-houses " wherever they occur there shall be substituted the word " dwelling " or, as the case may be, the word " dwellings " and in the said section 57(1) the words " or residence " shall be omitted.
- 11 Section 58 of the Rating and Valuation Act 1925 shall apply to rules making any provision required by section 9(4) of that Act to be made by rules as it applies to rules prescribing anything which by that Act is to be prescribed.
- 12 (1) In section 64 of the Rating and Valuation Act 1925 subsection (1) (so far as it relates to exemptions from or privileges in respect of rating) and subsection (2) shall cease

- to apply to any exemption or privilege conferred by a local Act or order passed or made before 22nd December 1925 unless the exemption or privilege either—
- (a) is continued in operation by a scheme in force at the date of commencement of this Act under the said subsection (2) ; or
 - (b) is at the said date of commencement enjoyed in practice.
- (2) The said subsection (2) and section 301(2) of the Highways Act 1959, so far as they apply paragraph 7 of Part III of Schedule 2 to the said Act of 1925, shall continue to have effect notwithstanding the repeal of the said Part III by the Rating and Valuation Act 1961.
- (3) In the proviso to the said paragraph 7, for the words " any order so made shall, unless the objection is withdrawn " there shall be substituted the words " unless the objection is withdrawn, the order shall ".
- 13 Section 66 of the Rating and Valuation Act 1925 and sections 70(3) and 71(a) to (c) of the Local Government Act 1948 shall cease to have effect, but any order in force at the date of commencement of this Act under the said section 66 or 70(3), and any regulations in force at that date under the said section 71(a) to (c), shall continue in force in the like manner, subject to the like power of revocation or variation, as if the said section 66, 70(3) or 71(a) to (c), as the case may be, continued to have effect.
- 14 In section 43 of the Local Government Act 1948—
- (a) after the word " effect " there shall be inserted the words " and be deemed always to have had effect ";
 - (b) for the word " object " there shall be substituted the words " make representations with respect ".
- 15 In section 47(3) of the Local Government Act 1948, for the words "in books " there shall be substituted the words " and shall either be kept in books provided for that purpose or be preserved in book form by means ".
- 16 In section 48(2)(a) of the Local Government Act 1948 for the words " either party " there shall be substituted the words " one or more parties to the appeal ".
- 17 In section 49(1) of the Local Government Act 1948 and in section 20(10) of the Rating and Valuation Act 1961, there shall be added at the end the words " and the valuation officer shall cause the valuation list to be altered accordingly ".
- 18 Sections 100(1), 102 and 110(b) of the Local Government Act 1948 and section 66(2) of the Transport Act 1962 shall have effect in relation to England and Wales as if for the words " local authorities " or " local authority " wherever those words occur there were substituted the words " rating authorities " or, as the case may be, " rating authority ".
- 19 In section 100(2) of the Local Government Act 1948, at the beginning there shall be inserted the words " Subject to section 88(2) of this Act ".
- 20 Section 3 of the Rating and Valuation (Miscellaneous Provisions) Act 1955 shall have effect as if the repeal made in subsection (1)(a) thereof by the London Government Act 1963 had not been made.
- 21 Section 14(3) of the Local Government Act 1958 shall have effect as if the reference therein to section 6(2) of the Rating and Valuation (Miscellaneous Provisions) Act 1955 included a reference to section 3(1) of the Gas Act 1965.
- 22 In section 12(5) of the Rating and Valuation Act 1961 after the words " exemption from " there shall be inserted the words " or abatement of ".

- 23 In section 15(1) of the Rating and Valuation Act 1961, for the words " limits respectively " there shall be substituted the word " limit ".
- 24 In section 16(5) of the Rating and Valuation Act 1961, for the word " therein " there shall be substituted the words " for which they were in force ".
- 25 In section 18(2)(d) of the Rating and Valuation Act 1961, the words " net annual " in the second place where those words occur shall be omitted.
- 26 In the Rating and Valuation Act 1961—
- (a) at the beginning of section 22(5) there shall be added the words " Any provision of this Part of this Act relating to the apportionment of the cumulo-value of an undertaking among rating areas or parishes or with respect to any amount so apportioned shall have effect subject to the necessary modifications where, by reason of the fact that the undertaking does not extend beyond the boundaries of a single rating area or a single parish, provision for apportionment is inappropriate and ";
 - (b) in Schedule 3, paragraphs 1 to 4, in paragraph 5 the words from " in subsection (2) " to " and (6) ", and paragraph 6, shall be omitted.
- 27 Notwithstanding anything in article 2(1) of the Secretary of State for Wales and Minister of Land and Natural Resources Order 1965, the functions of the Minister of Housing and Local Government under the following enactments shall be exercisable by that Minister in relation to the whole of England and Wales and shall not be exercisable by the Secretary of State for Wales, that is to say—
- (a) sections 24 and 58 of the Rating and Valuation Act 1925 ;
 - (b) sections 41(1)(c), 44(2), 94(2), 100 and 102 of the Local Government Act 1948 ;
 - (c) section 5(5) of and paragraph 12(3) of Schedule 3 to the Rating and Valuation (Miscellaneous Provisions) Act 1955 ;
 - (d) paragraph 24(1) of Schedule 8 to the Local Government Act 1958 ;
 - (e) section 23 of the Rating and Valuation Act 1961 ; and
 - (f) (for the avoidance of doubt by reason of its falling to be construed as one with Part V of the said Act of 1948) section 66 of the Transport Act 1962.
- 28 (1) Subject to any order under sub-paragraph (2) of this paragraph, in relation to the Isles of Scilly, references in the enactments relating to rating and valuation to a rating area or rating authority shall be construed as references respectively to those Isles and the Council of those Isles.
- (2) The Minister may by order direct that the enactments aforesaid shall apply to the Isles of Scilly subject to such exceptions, adaptations and modifications, if any, as may be specified in the order.
- (3) On the commencement of the first order made under sub-paragraph (2) of this paragraph the following provisions shall cease to have effect, that is to say—
- (a) section 70(2) of the Rating and Valuation Act 1925 ;
 - (b) section 138(3) of the Local Government Act 1929 so far as it relates to the enactments aforesaid ;
 - (c) section 146 of the Local Government Act 1948, so far as it relates as aforesaid ;
 - (d) section 17(3) of the Rating and Valuation (Miscellaneous Provisions) Act 1955 ;
 - (e) section 39 of this Act, so far as it relates as aforesaid.

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- 29 The following enactments shall cease to have effect, that is to say—
- (a) section 9 of the Poor Relief Act 1601;
 - (b) the Land Drainage (Rating) Act 1743 ;
 - (c) section 14 of the Poor Relief Act 1743 ;
 - (d) section 8 of the Poor Rate Act 1801 from " and all and every " onwards ;
 - (e) section 1 of the Poor Rate Act 1839 and, in section 193(7) of the Local Government Act 1933, the words " of the Poor Rate Act 1839 or" ;
 - (f) section 33 of the Defence Act 1860 ;
 - (g) section 12 of the Post Office Extension Act 1865 ;
 - (h) section 22 of the Telegraph Act 1868 ;
 - (i) the Poor Law Amendment Act 1868 ;
 - (j) section 7 of the Poor Rate Assessment and Collection Act 1869 and, in section 11(7) of the Rating and Valuation Act 1925, the word " seven " ;
 - (k) section 19 of the Poor Rate Assessment and Collection Act 1869, section 14 of the Parliamentary and Municipal Registration Act 1878 and, in section 11(7) of the Rating and Valuation Act 1925, the words " and nineteen " ;
 - (l) section 11 of the Military Forces Localization Act 1872 ;
 - (m) the Assessed Rates Act 1879 ;
 - (n) the Poor Law Act 1879 ;
 - (o) section 10 of the Post Office (Sites) Act 1885 ;
 - (p) section 70(1) of the Railways Act 1921.

SCHEDULE 5

Section 43.

CONSEQUENTIAL AMENDMENTS.

THE PUBLIC HEALTH ACT 1875

- 1 In section 172 for the words " such boats " and the words " such boatmen or other persons in charge " there shall be substituted respectively the words " pleasure boats " and the words " the boatmen or other persons in charge thereof ".

THE PUBLIC HEALTH ACT 1936

- 2 In section 253 for the words from the beginning to " thereunder " there shall be substituted the words " If any regulation in force under this Part of this Act " ; and in section 255(2)(a) for the words " this Part of this Act or any regulations made thereunder " there shall be substituted the words " regulations made under this Part of this Act " .

THE LOCAL GOVERNMENT ACT 1948

- 3 After section 94(2) there shall be inserted the following subsection—
- “(2A) In ascertaining the gross charge aforesaid for England and Wales for any year, the Minister shall, notwithstanding anything in section 144(5) of this Act, treat the aggregate amount of the domestic element of rate support

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grants for that year as an amount required to be paid by virtue of the rates made for that year by authorities in England and Wales.”

THE HOUSING (FINANCIAL PROVISIONS) ACT 1958

- 4 In paragraph 10 of Schedule 3, at the end of sub-paragraph (1) there shall be inserted the words " and by way of sums paid in respect of the domestic element of rate support grant for that area " , and at the end of sub-paragraph (2) there shall be inserted the words " (disregarding any reduction in that amount made in pursuance of section 6 of the Local Government Act 1966). " .

THE TOWN AND COUNTRY PLANNING ACT 1959

- 5 In section 57(1), in the definition of " grant-aided function " , for the words " the Local Government Act 1958 " there shall be substituted (in relation to the year 1967-68 and subsequent years) the words " section 1 of the Local Government Act 1966 " .

THE LONDON GOVERNMENT ACT 1963

- 6 In section 31(8), after the words " Act 1958 " , there shall be inserted the words " or section 4(2) of the Local Government Act 1966 " .
- 7 In section 66(2) the reference to amounts payable to authorities by virtue of section 64 of that Act shall include reference to amounts payable to them in respect of the needs element.
- 8 In section 70(3) the reference to section 5 of the Local Government Act 1958 shall include a reference to the provisions of this Act in so far as they relate to the resources element.

SCHEDULE 6

Section 43.

ENACTMENTS REPEALED.

PART I

ENACTMENTS REPEALED FROM PASSING OF ACT

Chapter	Short Title	Extent of Repeal
30 & 31 Vict. c. 130.	The Agricultural Gangs Act 1867.	The whole Act.
33 & 34 Vict. c. 57.	The Gun Licence Act 1870.	The whole Act.
38 & 39 Vict. c. 55.	The Public Health Act 1875.	In section 172 the words from the beginning to " charge " where it first occurs and the words from " also" to " may " .

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Chapter	Short Title	Extent of Repeal
43 & 44 Vict. c. 47.	The Ground Game Act 1880.	In section 4, the proviso.
45 & 46 Vict. c. 72.	The Revenue, Friendly Societies, and National Debt Act 1882.	Section 6.
46 & 47 Vict. c. 10.	The Customs and Inland Revenue Act 1883.	Section 6.
51 & 52 Vict. c. 33.	The Hawkers Act 1888.	The whole Act.
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	Sections 341 to 352. In section 365(1), paragraph (d) and the words " (e) emigrant runners " .
6 Edw. 7. c. 48.	The Merchant Shipping Act 1906.	Section 23.
7 Edw. 7. c. 53.	The Public Health Acts Amendment Act 1907.	Section 84.
8 Edw. 7. c. 16.	The Finance Act 1908.	In section 6(4) the word " guns " and the proviso.
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	In section 3(3) the words from " sections " to " in " . Sections 249(1), 250, 251(1) (a) and (b) and 252. In section 249(2) the words " every registration authority and of"; in section 255(3) the words from " produce " to "shall"; and in section 256 the words from " or in the place to which " onwards.
1 Edw. 8 & 1 Geo. 6. c. 12.	The Firearms Act 1937.	In section 15(1) the words " a licence to use or carry a gun under the Gun Licence Act 1870 or " .
10 & 11 Geo. 6. c. 48.	The Agriculture Act 1947.	In section 100(4) the words from " but nothing" onwards.
4 & 5 Eliz. 2. c. 9.	The Rating and Valuation (Miscellaneous Provisions) Act 1955.	Section 1(8).
7 & 8 Eliz. 2. c. 55.	The Dog Licences Act 1959.	In section 4 the words from " if the owner " in subsection (1) to the end of the section. Sections 5 and 9(2).

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Chapter	Short Title	Extent of Repeal
9 & 10 Eliz. 2. c. 45.	The Rating and Valuation Act 1961.	<p>In section 11 the words "declaration and certificate of exemption ", " declaration and certificate ", " declaration or certificate of exemption " and " declaration or certificate ".</p> <p>In section 13, paragraph (b), the word " or " immediately preceding that paragraph, the words " or certificate as the case may be ", the words " or certificate of exemption" in the first place where they occur and the words " or certificate " in the next place where they subsequently occur.</p> <p>Section 14.</p> <p>Section 28(3).</p>

PART II

ENACTMENTS REPEALED FROM 1ST APRIL 1967

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 5. c. 50.	The Ministry of Transport Act 1919.	In section 17, paragraph (b) of subsection (1) and subsection (2).
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	In Schedule 1, paragraphs 2(1) and 3; in paragraph 4(1) the words " to whom this paragraph applies and" in both places where they occur; and in paragraph 4(2) the words from the beginning to " Provided that".
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	<p>In section 63, in subsection (2), the words from " (in the order" to "declare)".</p> <p>In section 64, in subsection (2) the words " other than work for lighting it".</p>

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 38.	The Town and Country Planning Act 1962.	Sections 83 and 84. In section 235, subsection (7). In section 295, in subsection (1) in the definition of "improvement", the words "(except sections eighty-three and eighty-four)". Section 184.

PART III

ENACTMENTS REPEALED FROM THE DAY APPOINTED UNDER S. 38(1)

Chapter	Short Title	Extent of Repeal
43 Eliz. 1. c. 2.	The Poor Relief Act 1601.	In section 1, the words " of every inhabitant parson vicar and other and " and the words "tithes impropriate or pro-priations of tithes ". Section 9.
17 Geo. 2. c. 37.	The Land Drainage (Rating) Act 1743.	The whole Act.
17 Geo. 2. c. 38.	The Poor Relief Act 1743.	Section 4 from " but if" onwards. Section 14.
41 Geo. 3. c. 23.	The Poor Rate Act 1801.	Sections 4 and 5. Section 8 from " and all and every " onwards.
6 & 7 Will. 4. c. 71.	The Tithe Act 1836.	Section 69.
2 & 3 Vict. c. 84.	The Poor Rate Act 1839.	The whole Act.
3 & 4 Vict. c. 89.	The Poor Rate Exemption Act 1840.	The whole Act.
14 & 15 Vict. c. 50.	The Tithe Rating Act 1851.	The whole Act.
23 & 24 Vict. c. 112.	The Defence Act 1860.	Section 33.
28 & 29 Vict. c. 87.	The Post Office Extension Act 1865.	Section 12.
31 & 32 Vict. c. 110.	The Telegraph Act 1868.	Section 22.

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
31 & 32 Vict. c. 122.	The Poor Law Amendment Act 1868.	The whole Act.
33 & 34 Vict. c. 41.	The Poor Rate Assessment and Collection Act 1869.	Sections 7 and 19.
35 & 36 Vict. c. 68.	The Military Forces Localization Act 1872.	Section 11.
37 & 38 Vict. c. 54.	The Rating Act 1874.	In section 7, the words "and tithe rentcharge".
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act 1878.	The whole Act.
42 & 43 Vict. c. 10.	The Assessed Rates Act 1879.	The whole Act.
42 & 43 Vict. c. 54.	The Poor Law Act 1879.	The whole Act.
48 & 49 Vict. c. 45.	The Post Office (Sites) Act 1885.	Section 10.
11 & 12 Geo. 5. c. 55.	The Railways Act 1921.	Section 70(1).
12 & 13 Geo. 5. c. 50.	The Expiring Laws Act 1922.	In Schedule 1, the entry numbered (1).
15 & 16 Geo. 5. c. 90.	The Rating and Valuation Act 1925.	In section 2(1), the word "urban". Section 2(2) and (8). In section 11(7), the words "seven" and "and nineteen". In section 22(1)(b), the words "and tithe rentcharge, if any". Section 66. In section 68(1), in the definition of "gross value", the words "and tithe rentcharge, if any". Section 68(2).
19 & 20 Geo. 5. c. 17.	The Local Government Act 1929.	Schedule 3.
23 & 24 Geo. 5. c. 51.	The Local Government Act 1933	In section 193(7), the words "of the Poor Rate Act 1839 or".
11 & 12 Geo. 6. c. 26.	The Local Government Act 1948.	In section 57(1) the words "or residence".

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
4 & 5 Eliz. 2. c. 9.	The Rating and Valuation (Miscellaneous Provisions) Act 1955.	Sections 70(3) and 71(a) to (c). Section 4(1).
9 & 10 Eliz. 2. c. 45.	The Rating and Valuation Act 1961.	In section 18(2)(d) the words " net annual " in the second place where they occur. In Schedule 3, paragraphs 1 to 4, in paragraph 5 the words from " in subsection (2) " to " and (6) ", and paragraph 6.
1963 c. 33.	The London Government Act 1963.	In Schedule 15, paragraph 5(4).