



Tithe Act 1936

CHAPTER 43

TITHE ACT 1936

PART I

EXTINGUISHMENT OF TITHE RENTCHARGE, COMPENSATION OF OWNERS THEREOF AND LIABILITIES OF LANDOWNERS.

Extinguishment, Compensation by issue of Stock, Charge of Redemption Annuities.

- 1 Extinguishment of tithe rentcharge.
- 2 Compensation by issue of stock.
- 3 Charge of redemption annuities.

Establishment of Commission and Delivery of Information as to Rentcharges.

- 4 Tithe Redemption Commission.
- 5 Obligation of owners of rentcharges to give particulars thereof to the Commission.
- 6 Documents to be placed at disposal of the Commission.

Stock.

- 7 Issue of stock and provision as to beneficial interests therein.
- 8 Transitional provisions as to interest on, and issue of, stock.

Annuities.

- 9 Register of annuities and of lands in respect of which they are charged.
- 10 Apportionment and extinguishment of certain annuities.
- 11 Compulsory redemption of certain annuities.
- 12 Transfer of management of annuities from Commission to Commissioners of Inland Revenue.

Status: This is the original version (as it was originally enacted).

- 13 Incidents of annuities.
- 14 Remission of excess of annuity over one-third of annual value of agricultural land.
- 15 Procedure for redemption of annuities.
- 16 Recovery of annuities from owners of land.
- 17 Definition of " owner " in relation to land.
- 18 Ascertainment and registration of owners of land.

Transitional Provisions.

- 19 Abatement of tithe rentcharge and sinking fund payments due on 1st October, 1936.
- 20 Recovery of tithe rentcharge due on or before 1st October, 1936.
- 21 Provisions as to tithe rentcharge vested in owner of land charged.
- 22 Provisions as to redemption or merger on or after 26th February, 1936.
- 23 Transitional provisions as to rating of tithe rentcharge.

PART II

FINANCIAL PROVISIONS.

- 24 Creation, incidents and management of stock.
- 25 Redemption Annuities Account.
- 26 Temporary advances to meet deficiencies in Account.
- 27 Audit of accounts.
- 28 Winding-up of financial arrangements.

PART III

MISCELLANEOUS AND GENERAL.

Miscellaneous.

- 29 Extraordinary tithe rentcharge.
- 30 Corn rents, and c.
- 31 Liabilities to repair chancels, and c.
- 32 Furnishing of information by rating authorities.
- 33 Limitation of personal liability of trustees, and c. as owners of land.
- 34 Reduction of annuity charged in respect of land washed away by the sea.
- 35 Application to Crown lands, and c.
- 36 Ultimate custody of tithe apportionments, collecting lists, and c.
- 37 Adaptation of references to tithe rentcharge.
- 38 Power of Queen Anne's Bounty to make consequential adjustments.

General.

- 39 Powers for determination of questions in performance of functions under this Act.
- 40 Exercise by the Commission of certain powers conferred by the Tithe Acts.
- 41 Power to enter and inspect land.
- 42 Service and proof of documents.
- 43 Inspection of, and evidence of entries in, annuities register and map.
- 44 Treasury authorisation.
- 45 Commission's reports to Parliament.

- 46 Consequential amendment of 18 and 19 Geo. 5. No. 2.
- 47 Interpretation.
- 48 Short title, construction, extent and repeal.

SCHEDULES.

FIRST SCHEDULE —

PART I — DEDUCTIONS FROM GROSS ANNUAL VALUE OF A TITHE RENTCHARGE FOR DETERMINATION OF AMOUNT OF COMPENSATION.

PART II — MODIFICATIONS TO BE MADE IN CERTAIN CASES IN DETERMINING AMOUNT OF COMPENSATION.

- 1 In the case of a tithe rentcharge the fee simple...
- 2 In the case of a contingent tithe rentcharge, the amount...
- 3 In the case of a tithe rentcharge created in lieu...

SECOND — Constitution, Procedure, Staff and Expenses of the Commission.

SCHEDULE

- 1 The Treasury shall have power to remove a member of...
- 2 If any commissioner becomes temporarily incapable to perform his functions...
- 3 The Commission may act notwithstanding any vacancy in their number...
- 4 A member of the Commons House of Parliament shall be...
- 5 The Commission shall have an official seal, which shall be...
- 6 The functions of the Commission, and of the officers and...
- 7 The Commission may hold such inquiries as appear to them to...
- 8 The Commission may sue and be sued, and may for...
- 9 The Commission may authorise, subject to such limitations or restrictions...
- 10 Subject to the foregoing provisions of this Schedule, the Commission...
- 11 The Commission may appoint such secretaries and other officers, and...
- 12 There shall be paid to the commissioners, and to any...

THIRD SCHEDULE —

PART I — PERSONS TO WHOM STOCK IS TO BE ISSUED.

PART II — PROVISIONS AS TO STOCK TO BE ISSUED TO QUEEN ANNE'S BOUNTY.

- 1 Stock issued to Queen Anne's Bounty in respect of tithe...
- 2 Queen Anne's Bounty shall, subject to the provisions of paragraph...
- 3 The sum appropriated to a benefice under the provisions of...
- 4 (1) Where any such rentcharge as aforesaid was immediately before...

FOURTH SCHEDULE — Certification of Annual Value of Land in Agricultural Holding.

- 1 In this Schedule the expression " charged land " means...
- 2 If the owner of any charged land makes before the...
- 3 The annual value of charged land for the period in...
- 4 Immediately after the expiration of the said period of one...

FIFTH SCHEDULE — Issue and Distribution of Sums by way of Contribution in respect of Diminution of Income of Rating Authorities.

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

Amounts and mode of distribution between rating authorities.

- 1 Subject to the provisions of paragraph (e) of subsection (4)...
- 2 (1) The fraction referred to in sub-paragraph (6) of the...
- 3 Subject to the provisions of this Schedule, the sums to...
- 4 The directions given by the Minister of Health under the...
- 5 The Minister of Health may direct that there shall be...
- 6 (1) The Minister of Health may request the Treasury to...

Application by rating authorities of sums distributed.

- 7 The Minister of Health shall give directions for securing that...
- 8 Sums payable to a rating authority for an area other...
- 9 The sum to be credited in aid of any rate...

General.

- 10 For the purpose of enabling the Minister of Health to...
- 11 In this Schedule the following expressions have the meanings hereby...

SIXTH SCHEDULE — Method of Ascertainment of Compensation for Redemption of Corn Rents, &c.

SEVENTH — Liabilities to Repair Chancels, &c.
SCHEDULE

PART I — APPORTIONMENT OF LIABILITY.

- 1 The Commission shall ascertain in relation to every chancel or...
- 2 Where the Commission ascertain, in relation to any chancel or...
- 3 Where the Commission ascertain, in relation to any chancel or...
- 4 References in the Chancel Repairs Act, 1932, to the cost...
- 5 Nothing in this Act shall prejudice the right of any...

PART II — PROCEDURE AS TO RECEIPT OF STOCK BY DIOCESAN
AUTHORITY, &c.

- 1 As soon as may be after particulars of a tithe...
- 2 Within two months from the service of the Commission's notice,...
- 3 In the case of a chancel or building in England,...
- 4 Where a notice has been served as aforesaid by the...
- 5 Stock issued to the Diocesan Authority by virtue of the...

PART III — MODIFICATIONS AS TO WALES AND MONMOUTHSHIRE.

- 1 For references to the Diocesan Authority or to Queen Anne's...
- 2 Paragraph 5 of Part II of this Schedule shall not...

EIGHTH SCHEDULE — Powers of Queen Anne's Bounty.

- 1 Power to make to persons entitled on the appointed day...
- 2 Power to make to persons entitled on the appointed day...
- 3 Power, in the case of any tithe rentcharge vested for...
- 4 Power to provide on such terms as Queen Anne's Bounty...
- 5 Power to provide on such terms as Queen Anne's Bounty...
- 6 Power to provide on such terms as Queen Anne's Bountjr...
- 7 Power to provide on such terms as Queen Anne's Bounty...
- 8 Power at any time, and during any incumbency of the...

NINTH SCHEDULE — Enactments Repealed.