



Tithe Act 1936

1936 CHAPTER 43

PART III

MISCELLANEOUS AND GENERAL.

Miscellaneous.

29 Extraordinary tithe rentcharge.

The provisions of this Act shall have effect in relation to extraordinary tithe rentcharge subject to the following modifications and exceptions, that is to say:—

- (a) the amount of stock to be issued for compensation in respect of an extraordinary tithe rentcharge shall be an amount equal to the capital value thereof as ascertained under the Extraordinary Tithes Acts, 1886 and 1897;
- (b) the amount of the annuity charged by section three of this Act in respect of land out of which an extraordinary tithe rentcharge issued shall be an amount equal to four per cent. of such capital value as aforesaid;
- (c) the following enactments in this Act, that is to say, subsections (2) and (3) of section two, subsection (2) of section three, section nineteen, section twenty (except so much of subsection (1) thereof as provides that extinguishment shall not affect any right or liability in respect of sums which became due before the appointed day), section twenty-two, and section twenty-three, shall not have effect in relation to extraordinary tithe rentcharge;
- (d) section fourteen of this Act shall not have effect in relation to an annuity charged in respect of land as being land out of which an extraordinary tithe rentcharge issued, or in relation to a substituted annuity charged on an apportionment of such an annuity;
- (e) where, by reason of the land in respect of which such an annuity as aforesaid is charged being subject on any date to a long lease at a rent less than a rackrent, a sum becoming payable to the appropriate authority on that date is recovered under this Act from a person other than the estate owner in respect of the fee simple of the land, that person shall be entitled to recover the amount recovered from him simple contract debt from the person from whom that sum

Status: This is the original version (as it was originally enacted).

would have been recoverable by the authority if the land had not been subject to any such lease, and any amount so recoverable may be deducted from the instalment of any rent incident to the fee simple payable by the person entitled to recover under this paragraph next after the date on which the said sum is recovered from him.