
STATUTORY INSTRUMENTS

1951 No. 1535

TITHE ENGLAND

**The Corn Rent Annuities (Apportionment
and Redemption) Rules, 1951**

<i>Made</i>	- - - -	<i>20th August 1951</i>
<i>Laid before Parliament</i>		<i>21st August 1951</i>
<i>Coming into Operation</i>		<i>1st September 1951</i>

By virtue and in exercise of the powers conferred by subsection (4) of Section 10 of the Tithe Act, 1951, the Tithe Redemption Commission hereby make these Rules to prescribe the procedure to be followed in connection with the apportionment and redemption of corn rent annuities as hereinafter defined, and the manner in which costs are to be borne by the respective parties to proceedings in connection therewith.

1. These Rules may be cited as the Corn Rent Annuities (Apportionment and Redemption) Rules, 1951, and shall come into operation on the first day of September, 1951.

2. In these Rules:

“the Commission” means the Tithe Redemption Commission;

“corn rent annuity” means an annuity charged on land for the redemption of tithe rentcharge or of a corn rent, rentcharge or money payment redeemed under the Tithe Acts, 1836 to 1936 (1);

“applicant” includes a person making a requisition.

3.—(1) A requisition under the provisions of Section 191 of the Law of Property Act, 1925, for a certificate of the amount of money in consideration whereof a corn rent annuity may be redeemed shall be made in the Form A set forth in the Schedule hereto or to the like effect.

(2) An application under the provisions of subsection (7) of Section 191 of the Law of Property Act, 1925, for the apportionment of a corn rent annuity and for the redemption of part thereof shall be made in the Form B set forth in the said Schedule or to the like effect.

(3) An application under the provisions of the Tithe Annuities Apportionment Act, 1921, or of Section 192 of the Law of Property Act, 1925, for the apportionment of a corn rent annuity may be made in the Form C set forth in the said Schedule or to the like effect.

(4) Each such requisition or application as aforesaid shall be accompanied by the details specified in the Form D set forth in the said Schedule or to the like effect.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

(5) Any person interested in a corn rent annuity who applies that, as a condition of making an Order of Apportionment of that corn rent annuity, the Commission shall require that any apportioned part of the annuity which does not exceed £2 shall be redeemed forthwith shall make his application in the Form E set forth in the said Schedule or to the like effect.

4.—(1) Any person requiring the Commission under Section 191 of the Law of Property Act, 1925, to certify the amount of money in consideration whereof a corn rent annuity may be redeemed shall serve a copy of his requisition on the persons interested in or entitled to the annuity.

(2) Any person applying to the Commission under any of the before mentioned statutory provisions for an apportionment of a corn rent annuity shall serve a copy of his application on the person entitled to or interested in the annuity, and on each person, other than the applicant, who is interested in the land on which the annuity is charged or in any part of such land.

(3) A copy of a requisition or application by these Rules required to be served on any person shall be sufficiently served if it is served in accordance with the provisions of subsection (1) of Section 42 of the Tithe Act, 1936, or by such other mode of service as the Commission may direct.

5. For the purposes of any proceedings for, or relating to, the redemption of a corn rent annuity, the Commission may accept as sufficient evidence of the title to the annuity a statutory declaration by the person in receipt of the annuity or his solicitor, stating—

- (i) the nature and extent of such person's estate and interest in the annuity;
- (ii) the date and short particulars of the instrument under which his estate or interest is derived;
- (iii) the names and addresses of the trustees, if any, under such instrument; and
- (iv) whether there are any other interests affecting the annuity and, if so, the nature of them and how they arise:

Provided that the Commission if they deem it expedient may accept a statement in writing by some person in lieu of such a statutory declaration.

6. The costs of proceedings for the redemption or apportionment of a corn rent annuity under the statutory provisions referred to shall be borne by the applicant therefor, unless the Commission consider that the conduct of any other party has been unreasonable or that any other party has unreasonably refused a proposal made by such applicant, or unless the circumstances of the case are, in the opinion of the Commission, exceptional, in any of which cases the Commission may give such direction as to the payment of the whole or any part of the costs as they may consider just.

In witness whereof the Official Seal of the Tithe Redemption Commission is hereunto affixed this 20th day of August, 1951.

L.S.

H. G. Richardson
Secretary to the Commission

SCHEDULE

FORM AREDEMPTION UNDER SECTION 191 OF THE LAW OF PROPERTY ACT, 1925, OF A CORN RENT ANNUITY

FORM B APPORTIONMENT OF A CORN RENT ANNUITY UNDER SUBSECTION (7) OF SECTION 191 OF THE LAW OF PROPERTY ACT, 1925, AND REDEMPTION OF APPORTIONED PART

FORM B APPORTIONMENT OF A CORN RENT ANNUITY UNDER SUBSECTION (7) OF SECTION 191 OF THE LAW OF PROPERTY ACT, 1925, AND REDEMPTION OF APPORTIONED PART

FORM C APPORTIONMENT OF A CORN RENT ANNUITY UNDER THE TITHE ANNUITIES APPORTIONMENT ACT, 1921, OR SECTION 192 OF THE LAW OF PROPERTY ACT, 1925

FORM C APPORTIONMENT OF A CORN RENT ANNUITY UNDER THE TITHE ANNUITIES APPORTIONMENT ACT, 1921, OR SECTION 192 OF THE LAW OF PROPERTY ACT, 1925

FORM D Details to accompany each requisition or application made under paragraph (1), (2) or (3) of Rule 3

FORM D Details to accompany each requisition or application made under paragraph (1), (2) or (3) of Rule 3

FORM E Application by person interested in a corn rent annuity that any apportioned part thereof not exceeding £2 shall be required by the Tithe Redemption Commission to be redeemed as a condition of the apportionment

EXPLANATORY NOTE

By subsection (4) of Section 10 of the Tithe Act, 1951, the functions of the Minister of Agriculture and Fisheries in relation to the redemption and apportionment of certain annuities (in the Rules compendiously referred to as “corn rent annuities”) charged on land for the redemption of tithe rentcharge, corn rents or money payments in lieu of tithe are transferred to the Tithe Redemption Commission. These annuities are all of recent origin, having been created under the Tithe Act, 1918, or under that Act as amended or applied by later enactments including Section 30(1) of the Tithe Act, 1936. The present Rules prescribe the procedure to be followed in connection with the redemption and apportionment of them, and the manner in which the costs are to be borne. The fees payable to the Commission in connection therewith are prescribed by the Tithe Fees Rules, 1951 (S.I. 1951 No. 1534).

The annuities affected are private property and are distinct from redemption annuities charged in respect of land and payable to the Crown by virtue of the Tithe Act, 1936.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***