



# Tithe Act 1951

## 1951 CHAPTER 62 14 and 15 Geo 6

*Amendments and repeals of certain provisions of the principal Act, and subsidiary provisions.*

### **11 Power to transfer functions of the Commission to another Government Department.**

- (1) His Majesty may by Order in Council provide for the transfer to any other Government Department of all or any of the functions of the Commission.
- (2) An Order under the preceding subsection may contain such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving full effect to the Order, including provisions—
  - (a) for the transfer of any property, rights and liabilities held, enjoyed or incurred by the Commission in connection with any functions transferred;
  - (b) for the carrying on and completion by or under the authority of the Department to whom any functions are transferred of anything commenced by or under the authority of the Commission before the date when the Order takes effect;
  - (c) for such adaptations of the principal Act or this Act or of any other enactment relating to any functions transferred as may be necessary to enable them to be exercised by the Department to whom they are transferred and the officers thereof;
  - (d) for the substitution of the Department to whom functions are transferred for the Commission in any instrument, contract, or legal proceedings made or commenced before the date when the Order takes effect;
  - (e) for the dissolution of the Commission if and when all their functions have been transferred.
- (3) A draft of any Order under this section shall be laid before Parliament.
- (4) Any Order under this section may be varied by a subsequent Order made in the like manner and subject to the like conditions.
- (5) The preceding provisions of this section shall be in substitution for subsections (2) to (6) of section twelve of the principal Act (which provided for transfer

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*Changes to legislation: There are currently no known outstanding effects for the Tithe Act 1951, Section 11. (See end of Document for details)*

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of the management of annuities to the Commissioners of Inland Revenue), and accordingly—

- (a) the said subsections (2) to (6), and the words referring to transfer thereunder in paragraph (b) of subsection (2) of section four of the principal Act and in subsection (1) of the said section twelve, are hereby repealed; and
- (b) a reference to the Commission shall be substituted for each reference in the principal Act to the “appropriate authority” (which expression was defined in section forty-seven of that Act so as to import either the Commission or the Commissioners of Inland Revenue when having the management of annuities), and the definition of that expression in the said section forty-seven is hereby repealed:

Provided that nothing in this subsection shall be construed as excluding provision for transfer to the Commissioners of Inland Revenue from the provision which may be made under subsection (1) of this section.

- (6) Subsections (4), (5), (6) and (8) of section sixteen of the principal Act (being special provisions relating to the recovery of annuities by the Commissioners of Inland Revenue) are hereby repealed, but any Order under subsection (1) of this section transferring to those Commissioners functions of the Commission as to the recovery of annuities may include those provisions or provisions to the like effect.

**Changes to legislation:**

There are currently no known outstanding effects for the Tithe Act 1951, Section 11.