SCHEDULES

SCHEDULE 3

PREMISES FORMERLY USED FOR BUSINESS OF ABOLISHED COURTS

Supplemental

12 (1) In this Schedule, unless the context otherwise requires—

the " appropriate Minister " means either the Secretary of State or the Lord Chancellor, and, where a liability to make any payment is imposed on the appropriate Minister, it shall be the liability of either of them, or divided between them, as they may agree with the concurrence of the Treasury,

" business of the abolished courts " means the holding of—

(a) a court of assize or court of quarter sessions, or

(b) any other court abolished by this Act,

and any official business in connection with the work of any such court;

" local authority " has the same meaning as in the Acquisition of Land (Authorisation Procedure) Act 1946,

" Supreme Court and county court business " includes any official business in connection with the work of any such court,

(2) Any reference in this Schedule to use for business of the abolished courts, or for Supreme Court or county court business, includes use for any purpose ancillary to that business, and includes in particular use of a car park by officials and members of the public when attending in connection with any such business, and in determining the extent of use of any premises, account shall be taken of the periods when use is made of the premises, the degree of use of the premises, and the availability of the premises for other purposes when not so used.

(3) In determining for the purposes of this Schedule what use was made of any premises up to the appointed day, account shall primarily be taken of use in the two years ending with the appointed day, but allowing for the periodical or seasonal nature of the sittings of courts of assize or other courts, and where the degree of use is different in the two years, making an estimate of the average use.

(4) If on the appointed day any building is in course of construction which is designed and intended for use, to any extent, for business of the abolished courts, this Schedule shall, except where the context otherwise requires, apply as if it were a completed building being used up to the appointed day for the purposes for which it is intended.