



THE LAW COMMISSION

(LAW COM. No. 37)

STATUTE LAW REVISION: THIRD REPORT

DRAFT STATUTE LAW (REPEALS) BILL

*Presented to Parliament by the Lord High Chancellor
by Command of Her Majesty
December 1970*

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The Law Commission was set up by section 1 of the Law Commissions Act 1965 for the purpose of promoting the reform of the law. The Commissioners are—

The Honourable Mr. Justice Scarman, O.B.E., *Chairman*.

Mr. Claud Bicknell, O.B.E.

Mr. L. C. B. Gower.

Mr. Neil Lawson, Q.C.

Mr. N. S. Marsh, Q.C.

The Secretary of the Commission is Mr. J. M. Cartwright Sharp, and its offices are at Conquest House, 37-38 John Street, Theobald's Road, London, WC1N 2BQ.

LAW COMMISSION

STATUTE LAW REVISION: THIRD REPORT

Draft Statute Law (Repeals) Bill prepared under section 3(1)(d) of the Law Commissions Act 1965.

*To the Right Honourable the Lord Hailsham of St. Marylebone,
Lord High Chancellor of Great Britain.*

In our First Report on Statute Law Revision (Law Com. No. 22), with which we submitted to your Lordship's predecessor the draft Bill which became the Statute Law (Repeals) Act 1969, we referred to our new approach to statute law revision, namely, to work systematically through the existing statutes with a view to recommending the repeal, not only of matter which can be treated as inoperative, but also of matter that no longer serves a substantial purpose.

We have progressed further with this work and have prepared and now submit to you the draft Bill which is Appendix 1 to this Report. We have consulted the Scottish Law Commission about the repeal of all the enactments in the Schedule to the draft Bill which extend to Scotland, and the Scottish Law Commission join with us in recommending their repeal.

The repeals proposed in the draft Bill have been widely canvassed with the Government Departments and other bodies affected by them. So far as we are aware, there is no objection to any of the repeals.

Appendix 2 to this Report contains an explanatory note on the contents of the draft Bill.

(Signed) LESLIE SCARMAN, *Chairman.*

CLAUD BICKNELL.

L. C. B. GOWER.

NEIL LAWSON.

NORMAN S. MARSH.

J. M. CARTWRIGHT SHARP, *Secretary.*

30 October 1970.

APPENDIX I

Draft Statute Law (Repeals) Bill

DRAFT
OF A
B I L L
TO

Promote the reform of the statute law by the repeal, in accordance with recommendations of the Law Commission and the Scottish Law Commission, of certain enactments which are no longer of practical utility. A.D. 1970

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 1. The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in column 3 of the Schedule. Repeal of enactments.

2.—(1) It is hereby declared that this Act extends to Northern Ireland. Provisions relating to Northern Ireland.

10 (2) In its application to Northern Ireland this Act shall, as respects matters within the powers of the Parliament of Northern Ireland, be subject to alteration by that Parliament as if it had been an Act passed before the day appointed for the purposes of section 6 of the Government of Ireland Act 1920.

3. This Act may be cited as the Statute Law (Repeals) Act 1970. Short title.

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Section 1.

SCHEDULE

ENACTMENTS REPEALED

PART I

Enactments Relating to Irish Peers

Chapter	Short Title	Extent of Repeal	5
39 & 40 Geo. 3. c. 67.	The Union with Ireland Act 1800.	In Article IV of the Treaty of Union as set out in section 1, the first paragraph; the third paragraph; in the fourth paragraph, the words from " unless he" to " United Kingdom " and the words from " nor be " onwards; in the ninth paragraph (that is, the paragraph beginning with the words " That when his Majesty "), the words " lords temporal and ", in both places where they occur; and in the last paragraph, the words from the beginning to the words " Great Britain; and " where those words first occur.	10 15 20 25
20 & 21 Vict. c. 33.	The Representative Peers (Ireland) Act 1837.	The whole Act.	35
45 & 46 Vict. c. 26.	The Election of Representative Peers (Ireland) Act 1882.	The whole Act.	40
<i>Acts of Parliament of Ireland</i>			
40 Geo. 3. c. 29 (Ir.).	The Parliamentary Representation Act (Ireland) 1800.	The preamble. Sections 1 and 4.	

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Chapter	Short Title	Extent of Repeal
40 Geo. 3. c. 38 (Ir.)	The Act of Union (Ireland) 1800.	In Article IV of the Treaty of Union as set out in section 1, the first paragraph; the third paragraph; in the fourth paragraph, the words from "unless he" to "united kingdom" and the words from "nor be" onwards; in the ninth paragraph (that is, the paragraph beginning with the words "That when his Majesty"), the words "lords temporal and", in both places where they occur; and in the last paragraph, the words from the beginning to the words "Great Britain; and" where those words first occur. Section 2 from the words "Whereas it is agreed" to "the place so vacant". Section 5.
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PART II

Ecclesiastical Enactments

Chapter	Title or Short Title	Extent of Repeal
29 Chas. 2. c. 8.	The Augmentation of Benefices Act 1677.	The whole Act.
13 Anne c. 11.	The Simony Act 1713.	The whole Act.
24 Geo. 2. c. 23.	The Calendar (New Style) Act 1750.	In each of the annexed calendars for the month the words "with the Table of Lessons" and the Table of Lessons.
35		
5 Geo. 3. c. 17.	The Ecclesiastical Leases Act 1765.	The whole Act.
17 Geo. 3. c. 53.	The Clergy Residences Repair Act 1776.	Section 14.
40 53 Geo. 3. c. 127.	The Ecclesiastical Courts Act 1813.	The whole Act.
54 Geo. 3. c. 170.	The Poor Relief Act 1814.	The whole Act.
45 6 Geo. 4. c. 8.	The Glebe Exchange Act 1825.	Section 3.
7 Geo. 4. c. 66.	The Clergy Residence Act 1826.	The whole Act.
1 & 2 Will. 4. c. 45.	The Augmentation of Benefices Act 1831.	The whole Act.
50		

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Chapter	Title or Short Title	Extent of Repeal	
5 & 6 Will. 4. c. 62.	The Statutory Declarations Act 1835.	Section 9.	
1 & 2 Vict. c. 20.	The Queen Anne's Bounty Act 1838.	Section 21.	5
1 & 2 Vict. c. 23.	The Parsonages Act 1838.	Section 12.	
1 & 2 Vict. c. 106.	The Pluralities Act 1838.	Sections 104 and 105. Schedule 1.	
5 & 6 Vict. c. 4 (1842).	An Act to provide for the increase of the number of bishoprics and archdeaconries in the West Indies, and to amend the several Acts relating thereto.	The whole Act.	10
17 & 18 Vict. c. 84.	The Augmentation of Benefices Act 1854.	The whole Act.	15
26 & 27 Vict. c. 36.	The London Diocese Act 1863.	The whole Act.	20
28 & 29 Vict. c. 68.	The Ecclesiastical Commissioners (Superannuation) Act 1865.	The whole Act.	
28 & 29 Vict. c. 69.	The Parsonages Act 1865.	Section 5.	25
33 & 34 Vict. c. 89.	The Queen Anne's Bounty (Superannuation) Act 1870.	The whole Act.	
44 & 45 Vict. c. 25.	The Incumbents and Benefices Loans Extension Act 1881.	The whole Act.	30
4 & 5 Geo. 5. c. 5.	The Superannuation (Ecclesiastical Commissioners and Queen Anne's Bounty) Act 1914.	The whole Act.	35
23 & 24 Geo. 5. c. 47.	The Superannuation (Ecclesiastical Commissioners and Queen Anne's Bounty) Act 1933.	The whole Act.	
14 & 15 Geo. 6. c. 39.	The Common Informers Act 1951.	In the Schedule, the entries relating to section 10 of the Act of Uniformity 1662 and section 9 of the Ecclesiastical Courts Act 1813.	40
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In Schedule 5, the entries relating to section 14 of the Clergy Residences Repair Act 1776, sections 1 and 3 of the Clergy Residence Act 1826 and section 12 of the Parsonages Act 1838.	45
<i>Church Assembly Measure</i>			
1963 No. 2.	The Cathedrals Measure 1963.	In Schedule 1, the entry relating to the Ecclesiastical Leases Act 1765.	55

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PART III

Enactments Relating to Banking

Chapter	Short Title	Extent of Repeal
55 Geo. 3. 5 c. 184.	The Stamp Act 1815.	The following provisions in their application to England and Wales:— Sections 24, 27 and 28. Part I of the Schedule.
7 Geo. 4. c. 6. 10	The Bank Notes Act 1826.	Section 4. In section 5, the words from “and which” to “Majesty”.
7 & 8 Vict. c. 32.	The Bank Charter Act 1844.	Sections 23 and 24. Schedules (B) and (C).
15 8 & 9 Vict. c. 38.	The Bank Notes (Scotland) Act 1845.	Section 19.
17 & 18 Vict. c. 83.	The Stamp Act 1854.	The whole Act in its application to England and Wales.
19 & 20 Vict. c. 20.	The Bankers' Compositions Act 1856.	The whole Act.
20 26 & 27 Vict. c. 105.	The Promissory Notes Act 1863.	The whole Act.
27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act 1864.	The whole Act.
25 12 & 13 Geo. 5. c. 50.	The Expiring Laws Act 1922.	In Schedule 1, the entries relating to the Promissory Notes Act 1863 and the Promissory Notes (Ireland) Act 1864.

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PART IV

Enactments Relating to the Payment of Annuities, &c.

Chapter	Title or Short Title	Extent of Repeal
37 & 38 Vict. c. 12.	The East India Annuity Funds Act 1874.	The whole Act.
35 41 & 42 Vict. c. 46.	The Duke of Connaught and of Strathearn (Establishment) Act 1878.	The whole Act.
41 & 42 Vict. c. 47.	The Elders Widows' Fund (India) Act 1878.	The whole Act.
40 48 & 49 Vict. c. 24 (1885).	An Act to enable Her Majesty to settle an annuity on Her Royal Highness the Princess Beatrice Victoria Feodore.	The whole Act.
45 58 & 59 Vict. c. 10.	Mr. Speaker's Retirement Act 1895.	The whole Act.
60 & 61 Vict. c. 11.	The Regular and Elders' Widows' Funds Act 1897.	The whole Act.

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Chapter	Title or Short Title	Extent of Repeal
26 Geo. 5. & 1 Edw. 8. c. 2.	The Government of India Act 1935.	In section 274, the words "the East India Annuity Funds Act 1874". Section 284. 5
4 & 5 Eliz. 2. c. 11.	The Sudan (Special Payments) Act 1955.	In the title, the words from "to provide" to "Parliament of the Sudan"; Section 1. In section 3, the words from "Any gratuity" to "Act, and". 10

PART V

War-Time and Emergency Enactments

Chapter	Short Title	Extent of Repeal	15
6 & 7 Geo. 5. c. 63.	The Defence of the Realm (Acquisition of Land) Act 1916.	In section 15(c), the words "and the Secretary for Scotland for the Board of Agriculture and Fisheries". Section 1(2). 20	
8 & 9 Geo. 5. c. 59.	The Termination of the Present War (Definition) Act 1918.	Section 2(2). Section 7. Section 14(2). 25 Section 15. Section 16(2).	
9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act 1919.	Section 16(2). The whole Act.	
21 & 22 Geo. 5. c. 48.	The National Economy Act 1931.	The whole Act.	
2 & 3 Geo. 6. c. 70.	The Ships and Aircraft (Transfer Restriction) Act 1939.	In the title, the words "and aircraft and parts of aircraft". In section 4(1)(b)(i), the words from "or any territory" to "United Kingdom". Section 4(2). 35 In section 6(4), the words "as the case may be". In section 8(1), the words "or section three". 40 In section 9(1), the words "respectively", "his or" and "as the case may be". In section 10, the words "or aircraft". 45 Section 11(1)(e). In section 12, the definition of "aircraft".	

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Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 112.	The Education (Emergency) (Scotland) Act 1939.	The whole Act.
5 2 & 3 Geo. 6. c. 119.	The Chartered and Other Bodies (Temporary Provisions) Act 1939.	The whole Act.
3 & 4 Geo. 6. c. 16.	The Special Enactments (Extension of Time) Act 1940.	The whole Act.
10 3 & 4 Geo. 6. c. 55.	The Securities (Validation) Act 1940.	The whole Act.
4 & 5 Geo. 6. c. 19.	The Chartered and Other Bodies (Temporary Provisions) Act 1941.	The whole Act.
15 4 & 5 Geo. 6. c. 24.	The Liabilities (War-Time Adjustment) Act 1941.	The whole Act.
7 & 8 Geo. 6. c. 40.	The Liabilities (War-Time Adjustment) Act 1944.	The whole Act.
20 8 & 9 Geo. 6. c. 29.	The Liabilities (War-Time Adjustment) (Scotland) Act 1945.	The whole Act.
8 & 9 Geo. 6. c. 31.	The Emergency Powers (Defence) Act 1945.	The whole Act.
25 8 & 9 Geo. 6. c. 43.	The Requisitioned Land and War Works Act 1945.	Sections 1 to 14. Sections 26 to 31 except section 28(1) and (3)(a). Sections 35, 51 and 56. Section 60(5) to (9) and (13). Section 61(2), (3) and (5).
30 9 & 10 Geo. 6. c. 26.	The Emergency Laws (Transitional Provisions) Act 1946.	In Schedule 2, the entry relating to the Food and Drugs Act 1938; paragraph 1 of the entry relating to land drainage enactments; and the entry relating to the Agricultural Returns Act 1925.
35		
9 & 10 Geo. 6. c. 79.	The Public Notaries (War Service of Articled Clerks) Act 1946.	The whole Act.
40 11 & 12 Geo. 6. c. 17.	The Requisitioned Land and War Works Act 1948.	Section 1(1) and (2)(a). Section 19(6). In the Schedule, in paragraph 1, the words "subsection (2) of section eight and of"; paragraphs 2 to 5; and paragraph 8.
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1964 c. 60.	The Emergency Laws (Re-enactments and Repeals) Act 1964.	Section 17(2).
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PART VI

Expiring Laws Continuance Acts

Chapter	Short Title	Extent of Repeal	
11 & 12 Eliz. 2. c. 3.	The Expiring Laws Continuance Act 1962.	The whole Act.	5
1963 c. 58.	The Expiring Laws Continuance Act 1963.	The whole Act.	
1964 c. 94.	The Expiring Laws Continuance Act 1964.	The whole Act.	10
1965 c. 77.	The Expiring Laws Continuance Act 1965.	The whole Act.	
1966 c. 40.	The Expiring Laws Continuance Act 1966.	The whole Act.	15
1967 c. 89.	The Expiring Laws Continuance Act 1967.	The whole Act.	
1968 c. 76.	The Expiring Laws Continuance Act 1968.	The whole Act.	

PART VII

Consolidated Fund and Appropriation Acts

Chapter	Short Title	Extent of Repeal	20
1963 c. 1.	The Consolidated Fund Act 1963.	The whole Act.	25
1963 c. 8.	The Consolidated Fund (No. 2) Act 1963.	The whole Act.	
1963 c. 26.	The Appropriation Act 1963.	The whole Act.	30
1964 c. 1.	The Consolidated Fund Act 1964.	The whole Act.	
1964 c. 17.	The Consolidated Fund (No. 2) Act 1964.	The whole Act.	35
1964 c. 62.	The Appropriation Act 1964.	The whole Act.	
1965 c. 1.	The Consolidated Fund Act 1965.	The whole Act.	40
1965 c. 8.	The Consolidated Fund (No. 2) Act 1965.	The whole Act.	
1965 c. 23.	The Appropriation Act 1965.	The whole Act.	45
1966 c. 1.	The Consolidated Fund Act 1966.	The whole Act.	
1966 c. 3.	The Appropriation Act 1966.	The whole Act.	45
1966 c. 26.	The Appropriation (No. 2) Act 1966.	The whole Act.	
1967 c. 2.	The Consolidated Fund Act 1967.	The whole Act.	45
1967 c. 6.	The Consolidated Fund (No. 2) Act 1967.	The whole Act.	

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Chapter	Short Title	Extent of Repeal
1967 c. 59.	The Appropriation Act 1967.	The whole Act.
5 1968 c. 1.	The Consolidated Fund Act 1968.	The whole Act.
1968 c. 15.	The Consolidated Fund (No. 2) Act 1968.	The whole Act.
1969 c. 3.	The Consolidated Fund Act 1969.	The whole Act.
10 1969 c. 9.	The Consolidated Fund (No. 2) Act 1969.	The whole Act.

PART VIII

Finance Acts

Chapter	Short Title	Extent of Repeal
15 6 Edw. 7. c. 20. 10 Edw. 7. & 1 Geo. 5. c. 8.	The Revenue Act 1906. The Finance (1909-10) Act 1910.	The whole Act. Section 46. In section 96(2), the words from the beginning to "Excise, and"; and the word "other".
20 5 & 6 Geo. 5. c. 62.	The Finance Act 1915.	The whole Act.
6 & 7 Geo. 5. c. 24.	The Finance Act 1916.	Section 69(1).
25 11 & 12 Geo. 5. c. 32.	The Finance Act 1921.	In section 65(1), the words from "Part I" to "those duties".
17 & 18 Geo. 5. c. 10.	The Finance Act 1927.	Section 57(1).
30 21 & 22 Geo. 5. c. 28.	The Finance Act 1931.	Section 1(2).
23 & 24 Geo. 5. c. 19.	The Finance Act 1933.	Section 44(1). Section 46.
5 & 6 Geo. 6. c. 21.	The Finance Act 1942.	Section 10(1). Section 49(2).
35 6 & 7 Geo. 6. c. 28.	The Finance Act 1943.	Section 31(2).
7 & 8 Geo. 6. c. 23.	The Finance Act 1944.	Section 49(2).
40 9 & 10 Geo. 6. c. 13.	The Finance (No. 2) Act 1945.	Section 62(2).
9 & 10 Geo. 6. c. 64.	The Finance Act 1946.	Section 9(3). Section 11. Section 67(2).
45 11 & 12 Geo. 6. c. 9.	The Finance (No. 2) Act 1947.	In section 9(2), the words from "and in this Act" onwards.
11 & 12 Geo. 6. c. 49.	The Finance Act 1948.	Section 1(7). Section 82(2).

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Chapter	Short Title	Extent of Repeal	
12, 13 & 14 Geo. 6. c. 47.	The Finance Act 1949.	Section 14. Section 15(1)(a). In section 15(3), the words "the Hawkers Act 1888, or".	5
14 & 15 Geo. 6. c. 43.	The Finance Act 1951.	Section 15(5). Section 44(6).	
15 & 16 Geo. 6. & 1 Eliz. 2. c. 33.	The Finance Act 1952.	Section 76(2).	10
2 & 3 Eliz. 2. c. 44.	The Finance Act 1954.	Section 35(2).	
4 & 5 Eliz. 2. c. 54.	The Finance Act 1956.	Section 3.	15
6 & 7 Eliz. 2. c. 56.	The Finance Act 1958.	Section 39.	
8 & 9 Eliz. 2. c. 44.	The Finance Act 1960.	Sections 4 and 8.	20
9 & 10 Eliz. 2. c. 36.	The Finance Act 1961.	Section 1. Section 2(2) to (9). Section 10. In section 11(1), the word "hawker's".	25
10 & 11 Eliz. 2. c. 44.	The Finance Act 1962.	Schedule 1. Section 1(2)(e).	
1964 c. 49.	The Finance Act 1964.	Section 5(2) and (3). Section 9.	30
1967 c. 54.	The Finance Act 1967.	Section 10. Part V of Schedule 16.	

PART IX

Miscellaneous Enactments

Chapter	Title or Short Title	Extent of Repeal	35
16 Geo. 2. c. 31.	The Prison (Escape) Act 1742.	The whole Act.	
41 Geo. 3. (U.K.) c. 32.	The Irish Charges Act 1801.	In section 1, all the specified items except that which authorises payment of the rent of grounds near Carrickfergus Castle.	40
48 Geo. 3. c. 140.	The Dublin Police Magis- trates Act 1808.	Section 14.	
52 Geo. 3. c. 146.	The Parochial Registers Act 1812.	Section 18.	45

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Chapter	Title or Short Title	Extent of Repeal
59 5 10 15	Geo. 3. c. 86 (1819). An Act for regulating the exercise of the right of common of pasture in the New Forest, in the county of Southampton, for repealing certain parts of two Acts passed in the 39th and 40th and the 52nd years of His present Majesty; and for the better collection and recovery of the gale rents in the forest of Dean, in the county of Gloucester.	In the title, the words from "for regulating" to "His present Majesty; and". The preamble. In section 7, the words "now due and owing or," the words "to His Majesty" and the words from "and in case the goods and chattels distrained shall be replevied" onwards. In section 8, the words "now due, or" and the words from "and in all such actions" onwards. Sections 9 to 11. The whole Act.
1 & 2 20 10 5 & 6 3 & 4 25 c. 85.	Geo. 4. c. 41. Geo. 4. c. 44. Will. 4. c. 62. Vict. c. 85.	The Steam Engine Furnaces Act 1821. The Metropolitan Police Act 1829. The Statutory Declarations Act 1835. The Chimney Sweepers and Chimneys Regulation Act 1840.
7 & 8 c. 33.	Vict. The County Rates Act 1844.	The whole Act.
8 & 9 30 c. 56.	Vict. The Land Drainage Act 1845.	The whole Act.
14 & 15 c. 25.	Vict. The Landlord and Tenant Act 1851.	Sections 1 and 3.
14 & 15 c. 105.	Vict. The Poor Law Amendment Act 1851.	The whole Act.
35 16 & 17 c. 107.	Vict. The Customs Consolidation Act 1853.	Section 327.
16 & 17 c. 129.	Vict. The Pilotage Law Amendment Act 1853.	Sections 10 and 13.
17 & 18 40 c. 94.	Vict. The Public Revenue and Consolidated Fund Charges Act 1854.	In Schedule (B), the words "Allowance in aid of the Royal Irish Academy, Dublin . . . 40 Geo. 3. c. 60, 41 Geo. 3. c. 32".
45 24 & 25 c. 121.	Vict. The Domicile Act 1861.	Sections 1 to 3.
25 & 26 c. 53.	Vict. The Land Registry Act 1862.	Sections 108 to 113.
26 & 27 50 c. 101 (1863).	Vict. An Act to appoint additional commissioners for executing the Acts for granting a land tax and other rates and taxes.	The whole Act.
27 & 28 55 c. 37.	Vict. The Chimney Sweepers Regulation Act 1864.	The whole Act.

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Chapter	Title or Short Title	Extent of Repeal	
27 & 28 Vict. c. 101.	The Highway Act 1864.	The whole Act.	
28 & 29 Vict. c. 48.	The Courts of Justice Building Act 1865.	The whole Act.	5
31 & 32 Vict. c. 32.	The Endowed Schools Act 1868.	The whole Act.	
38 & 39 Vict. c. 70.	The Chimney Sweepers Act 1875.	The whole Act.	
39 & 40 Vict. c. 20.	The Statute Law Revision (Substituted Enactments) Act 1876.	Section 5.	10
39 & 40 Vict. c. 23.	The Prevention of Crimes Amendment Act 1876.	The whole Act.	
39 & 40 Vict. c. 35.	The Customs Tariff Act 1876.	The whole Act.	15
54 & 55 Vict. c. 69.	The Penal Servitude Act 1891.	Section 9. In section 11, the words from "and this Act" onwards.	
57 & 58 Vict. c. 51.	The Chimney Sweepers Act 1894.	The whole Act.	20
59 & 60 Vict. c. 31.	The Housing of the Working Classes Act 1890 Amendment(Scotland) Act 1896.	The whole Act.	
16 & 17 Geo. 5. c. 15.	The Criminal Appeal (Scotland) Act 1926.	Section 12(4). Section 19(2).	25
16 & 17 Geo. 5. c. 43.	The Public Health (Smoke Abatement) Act 1926.	In section 12(2), the words from "but save" onwards.	
17 & 18 Geo. 5. c. 26.	The Criminal Appeal (Scotland) Act 1927.	The whole Act.	30
22 & 23 Geo. 5. c. 55.	The Administration of Justice Act 1932.	Section 5.	
23 & 24 Geo. 5. c. 10.	The Russian Goods (Import Prohibition) Act 1933.	The whole Act.	35
25 & 26 Geo. 5. c. 46.	The Money Payments (Justices Procedure) Act 1935.	The whole Act.	
26 Geo. 5. & 1 Edw. 8. c. 20.	The Electricity Supply (Meters) Act 1936.	In section 1(1), the words "Not later than the appointed day" and the word "thereafter". Section 1(2). Section 3. In section 4(1), the definition of "The appointed day". Section 24(1) and (3).	40 45
26 Geo. 5. & 1 Edw. 8. c. 44.	The Air Navigation Act 1936.		
10 & 11 Geo. 6. c. 53.	The Town and Country Planning (Scotland) Act 1947.	In subsections (2), (4) and (5) of section 22, the words "under the last foregoing subsection".	50
10 & 11 Geo. 6. c. 54.	The Electricity Act 1947.	Section 52.	55

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Chapter	Title or Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 31.	The Cotton Spinning (Re-equipment Subsidy) Act 1948.	The whole Act, except so far as applied by section 2(6) of the Cotton Industry Act 1959.
5 12 & 13 Geo. 6. c. 59.	The Licensing Act 1949.	The whole Act.
14 Geo. 6. c. 21.	The Miscellaneous Financial Provisions Act 1950.	Section 4.
10 15 & 16 Geo. 6. & 1 Eliz. 2. c. 32.	The Electricity Supply (Meters) Act 1952.	The whole Act.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.	The Customs and Excise Act 1952.	In Schedule 10, in Part II, paragraphs 3, 9, 10, 19, 20, 23 and 28.
15 2 & 3 Eliz. 2. c. 42.	The Slaughterhouses Act 1954.	Section 3(5). Schedule 1.
2 & 3 Eliz. 2. c. 72.	The Town and Country Planning Act 1954.	Section 55. Section 56(3). Section 61(1) and (6). Section 63.
20		In section 69(1), all the definitions other than those of "compulsory acquisition", "interest in land", "the Minister", "principal Act", "public authority possessing compulsory purchase powers", "royalty", "full restoring lease" and "ironstone district"; and in the definition of "the Minister", the words "(subject to subsection (8) of this section)".
25		Section 70.
30		In section 72(2), the words from "and different days" onwards.
35		In section 72(3), the words from "and may" onwards.
40		In section 72(4), the words "except section sixty-three thereof".
45 2 & 3 Eliz. 2. c. 73.	The Town and Country Planning (Scotland) Act 1954.	Sections 57 and 63.
4 & 5 Eliz. 2. c. 8.	The County Courts Act 1955.	The whole Act.
50 4 & 5 Eliz. 2. c. 16.	The Food and Drugs Act 1955.	In section 67, the words "Subject to the provisions of this section", in subsection (1); and subsection (2). Section 136(3).
55		In Schedule 12, paragraph 7.

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Chapter	Title or Short Title	Extent of Repeal
4 & 5 Eliz. 2. c. 67.	The Road Traffic Act 1956.	Section 4(5).
6 & 7 Eliz. 2. c. 1.	The National Insurance (No. 2) Act 1957.	The whole Act.
9 & 10 Eliz. 2. c. 17.	The Betting Levy Act 1961.	Section 9.
1964 c. 48.	The Police Act 1964.	In Schedule 8, the entry relating to the river Tyne in columns 1 to 4; and the words from "and the ' river Tyne'" to "Tyne Improvement Commissioners".

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APPENDIX 2

EXPLANATORY NOTE ON THE DRAFT BILL

Clause 1 repeals the scheduled enactments.

Clause 2 is designed to ensure that the constitutional powers of the Parliament of Northern Ireland to legislate are unaffected by the Bill.

SCHEDULE

PART I

Enactments relating to Irish Peers

All the repeals proposed in this Part of the Schedule are of provisions which have been superseded or are now obsolete—mostly in consequence of the decision of the Committee for Privileges in the House of Lords (on the Earl of Antrim's Petition [1967] 1 A.C. 691) that the right to elect Irish representative peers no longer exists.

PART II

Ecclesiastical Enactments

All the enactments included in this Part of the Schedule (with two exceptions) concern only the Church of England and the proposed repeals have been considered and agreed to by a committee of lawyers, under the chairmanship of Chancellor W. S. Wigglesworth, appointed jointly by the Archbishops of Canterbury and York. The two exceptions are: the proposed repeal of sections 104 and 105 of the Pluralities Act 1838 (institution to benefices and appointment of curates in Wales) which has been agreed to by the Governing Body of the Church in Wales; and the proposed repeal of the Act of 1842 (bishoprics and archdeaconries in the West Indies) which has been agreed to by the Archbishop of the West Indies.

The Augmentation of Benefices Act 1677 related to a system of augmenting poor benefices by a method which has long been obsolete and is now virtually impossible.

The only remaining section of the Simony Act 1713 prohibits clergymen from purchasing for themselves a next presentation or avoidance. This prohibition is now effected by later legislation.

The Tables of Lessons in the monthly calendars annexed to the Calendar (New Style) Act 1750 were superseded by those set out in the Schedule to the Prayer Book (Tables of Lessons) Act 1871.

The Ecclesiastical Leases Act 1765 contains provisions, which are now obsolete, relating to leases made by archbishops and bishops and other ecclesiastical persons.

Section 14 of the Clergy Residences Repair Act 1776 makes special provision for cases where the patron of a living is under a legal disability. It is not necessary to rely on it in practice, since the general law relating to persons under a legal disability is applicable to these cases.

The repeal of the Ecclesiastical Courts Act 1813 would abolish the power to recover in a magistrates' court certain tithes and church or chapel rates; but if any such tithes or rates still exist the repeal would not prevent their recovery in the county court. The repeal would also abolish provisions relating to proctors of ecclesiastical courts. Today all proctors are solicitors who are governed by the Solicitors Act 1957.

The only remaining provision in the Poor Relief Act 1814 makes church rates levied under local Acts recoverable by distress. If there are still any rates to which the section applies its repeal would not prevent their recovery in the county court.

Section 3 of the Glebe Exchange Act 1825 is a provision relating to copyhold land which became obsolete on the abolition of copyhold tenure by the Law of Property Act 1922 as from 1 January 1926.

The Clergy Residence Act 1826 makes special provision for conveying the fee simple of benefice land in cases where the owners are corporations or persons under a legal disability. These cases are now adequately covered by the general law and consequently the Act is no longer used.

The Augmentation of Benefices Act 1831 extended and explained the 1677 Act which is now proposed for repeal.

Section 9 of the Statutory Declarations Act 1835 prescribes a declaration to be made by churchwardens and sidesmen. So far as churchwardens are concerned this declaration is superseded by that prescribed in section 7 of C.A.M. 1964 (No. 3), and so far as sidesmen are concerned section 9 no longer serves any useful purpose.

Section 21 of the Queen Anne's Bounty Act 1838 sets out a form of deed for granting stipends, rentcharges or annuities which is no longer used.

Section 12 of the Parsonages Act 1838 (which like section 14 of the 1776 Act is no longer relied upon in practice because the general law is applicable) makes provision for cases where the patron of a living is under a legal disability.

Sections 104 and 105 of the Pluralities Act 1838 (institution to benefices and appointment of curates in Wales) became obsolete as a result of the disestablishment of the Welsh Church. Schedule 1 to the Act sets out the questions which were required by section 52 to be sent by each bishop to every incumbent in the diocese, and became obsolete on the repeal of section 52 by C.A.M. 1922 (No. 2).

The only remaining provision in the Act of 1842 (c.4) enables the Crown by letters patent to establish dioceses and archdeaconries in Jamaica and Barbados which are both now fully independent countries.

The Augmentation of Benefices Act 1854 provides that it shall be read and construed as part of the 1831 Act which is now proposed for repeal.

The unrepealed parts of the London Diocese Act 1863 contained provisions, which have since become spent, for uniting certain parishes to the see of Rochester; and other provisions, uniting the archdeaconries of Rochester and St. Albans, which were superseded in 1882 by an order in council separating the two archdeaconries.

Section 5 of the Parsonages Act 1865, which makes provision as to what is to constitute a quorum of Queen Anne's Bounty, is spent as the result of the dissolution of that authority by C.A.M. 1947 (No. 2).

The Superannuation Acts of 1865, 1870, 1914 and 1933 contain provisions, which are now spent, enabling superannuation allowances to be granted to persons employed by the Ecclesiastical Commissioners or Queen Anne's Bounty. The pension rights of the persons concerned are now protected by section 17(2) of C.A.M. 1947 (No. 2).

The Incumbents and Benefices Loans Extension Act 1881 is no longer relied upon in practice. The Act enabled the Governors of Queen Anne's Bounty to extend for a period of not more than three years the term fixed for repayment of loans.

The entries in the Schedules to the Common Informers Act 1951 and the Mental Health Act 1959 proposed for repeal are references to enactments which have already been repealed or are now proposed for repeal.

The repeal proposed to the Cathedrals Measure 1963 is consequential on the proposed repeal of the Act of 1765.

PART III

Enactments relating to Banking

The Committee of London Clearing Bankers, the Committee of Scottish Bank General Managers and the Northern Ireland Bankers' Association have been consulted, and agree to the

repeals proposed in this Part of the Schedule which concern them.

The provisions of the Stamp Act 1815 proposed for repeal in their application to England and Wales relate to the licensing of bankers (other than the Bank of England) issuing bank notes. The provisions have been obsolete in relation to England and Wales since 1921 when the last existing private bank with note issuing powers disappeared. In England and Wales the note issuing powers of the Bank of England are exclusive. For the same reason, Schedule (B) to the Bank Charter Act 1844 (which prescribes the form of return of private bank notes in circulation in England and Wales) and the residual provisions of the Stamp Act 1854 (which, in their application to England and Wales, relate to stamp duties on private bank notes) are obsolete.

The remaining provisions of the Bank Charter Act 1844 proposed for repeal and the Bankers' Compositions Act 1856 relate to the payment of compositions to specified bankers in consideration of their relinquishment of the privilege of issuing bank notes. No banker is now entitled to receive these payments and the enactments are accordingly obsolete.

The Promissory Notes Act 1863 and the Promissory Notes (Ireland) Act 1864 effected repeals (which were originally of temporary duration) of earlier legislation of 1776 and 1845 which had imposed restrictions on the issue of promissory notes and bills of exchange for twenty shillings or more but less than five pounds. The repeals were made permanent in 1922 and the repealing enactments are therefore now spent. The repeals proposed in the Bank Notes Act 1826, the Bank Notes (Scotland) Act 1845 and the Expiring Laws Act 1922 are consequential on the proposed repeals of the Acts of 1863 and 1864.

PART IV

Enactments relating to the payment of Annuities, &c.

The East India Annuity Funds Act 1874, the Elders Widows' Fund (India) Act 1878 and the Regular and Elders' Widows' Funds Act 1897 made provision relating to various pension funds established during the 19th century for the benefit of persons serving in the East India Company and their dependants. All beneficiaries of the funds are now deceased and the funds have been wound up. The Acts are accordingly spent. The repeals proposed in the Government of India Act 1935 are consequential on the repeal of these Acts.

The Duke of Connaught and of Strathearn (Establishment) Act 1878, which was passed in anticipation of the marriage in 1879 between the Duke and the Princess Louise of Prussia, provided for the grant from public funds of life annuities to

the Duke and the Princess. The Act became spent on the death of the Duke (who was the third son of Queen Victoria) in 1942, the Princess Louise having died in 1917.

The Act of 1885 relating to the Princess Beatrice provided for the grant from public funds of a life annuity to the Princess, who was the youngest daughter of Queen Victoria. The Act became spent on the death of the Princess in 1944.

Mr. Speaker's Retirement Act 1895 provided for the payment from public funds of a life annuity to the former Mr. Speaker Peel (later Viscount Peel) and became spent on his death in 1912.

The provisions of the Sudan (Special Payments) Act 1955 proposed for repeal relate to the payment of gratuities to former officials of the Sudan Government or Parliament as compensation for loss of office. The payment of these gratuities has been completed and the provisions are therefore spent.

PART V

War-time and Emergency Enactments

The repeal proposed to section 15 of the Defence of the Realm (Acquisition of Land) Act 1916 is of a provision which became unnecessary when section 2 of that Act was repealed in 1927.

Section 1(2) of the Termination of the Present War (Definition) Act 1918 became spent in 1921 when the date of the termination of the war was declared under section 1(1).

Section 2(2) of the Aliens Restriction (Amendment) Act 1919 empowers the making of regulations for the purpose of enforcing any Treaty of Peace concluded as a result of the First World War. No regulations are in force under the section and the power is no longer required. The repeal of section 2(2) would involve the consequential repeal of sections 14(2) and 15. Section 16(2) is a repealing enactment which is spent. The remaining provision of the Act proposed for repeal—section 7—imposes restrictions on a change of name by aliens and enables a Secretary of State to grant exemptions from its provisions in individual cases. Since the restrictions can now operate only on aliens aged 56 or more and the grant of exemptions to persons in this limited category has become a mere formality, the section is no longer of practical utility. The repeal of the section would not affect the obligation of aliens (under the Aliens Order 1953) to notify the registration officer of any change of name.

The National Economy Act 1931 authorised the making of orders in council for the purpose of effecting economies in public expenditure. Since the power to make such orders

expired one month after the Act came into operation, the Act is spent except to the extent that it supports any orders still in force under it. There are still six orders which have not been formally revoked but none of these orders is still required.

The repeals proposed to the Ships and Aircraft (Transfer Restriction) Act 1939 are of ancillary provisions which became redundant in 1947 when the Act ceased to apply to aircraft and of obsolete provisions relating to the application of the Act in mandated territories.

The Education (Emergency) (Scotland) Act 1939 postponed the raising of the school age to 15 years by suspending the operation of section 14 of the Education (Scotland) Act 1918. Section 1(1) of the 1939 Act which contained the substantive provisions was repealed in 1945. The remaining provisions of the Act which are all consequential are now spent.

The Chartered and Other Bodies (Temporary Provisions) Acts of 1939 and 1941 expired on 3 October 1951, the date declared by S.I. 1951 No. 1777.

The period during which applications for orders under the Special Enactments (Extension of Time) Act 1940 could be made expired by virtue of S.R. & O. 1947 No. 1441 on 30 June 1947. Since such orders could only have effect for three years, the Act is now spent.

The object of the Securities (Validation) Act 1940 was to settle doubts which had arisen as to the validity in relation to Regulation 6 of the Defence (Finance) Regulations of mortgage transactions entered into between 3 September and 23 November 1939. The Act became spent when Regulation 6 was revoked by S.I. 1953 No. 1911.

The Liabilities (War-Time Adjustment) Acts of 1941 and 1944 and the Liabilities (War-Time Adjustment) (Scotland) Act 1945 made provision for the arrangement or the adjustment and settlement of the affairs of persons financially affected by war circumstances. The Acts of 1941 and 1944 expired on 24 February 1946 and the Act of 1945 expired on 8 October 1951, with savings for proceedings commenced and schemes approved before the dates of expiry. For practical purposes these savings are now spent.

The Emergency Powers (Defence) Act 1945 was passed to make provision for the continuance of the Emergency Powers (Defence) Act 1939 for periods of less than one year. This Act of 1945 became spent when the 1939 Act was finally repealed by the Emergency Laws (Repeal) Act 1959.

Section 56 of the Requisitioned Land and War Works Act 1945 is superseded by section 14 of the Industrial Expansion Act 1968. All the other provisions of the Act proposed for

repeal are spent either because of the dissolution on 1 October 1964 of the War Works Commission or because of the expiration of the period for the taking of the relevant steps.

The entries proposed for repeal in Schedule 2 to the Emergency Laws (Transitional Provisions) Act 1946 are spent because the enactments amended by these entries have been repealed.

The Public Notaries (War Service of Articled Clerks) Act 1946 is spent. Only persons bound by articles of clerkship entered into before 1 July 1950 were eligible to take advantage of the Act and their articles would long since have been completed.

The repeals proposed to the Requisitioned Land and War Works Act 1948 are of provisions which have become unnecessary by reason of a repeal already made (i.e. the repeal of section 5 of the Supplies and Services (Transitional Powers) Act 1945 by the Emergency Laws (Repeal) Act 1959) or which will become unnecessary in consequence of repeals now proposed.

The period during which powers to trade in jute products were exercisable first by the Board of Trade and then by the Minister of Technology under section 17(2) of the Emergency Laws (Re-enactments and Repeals) Act 1964 expired on 31 December 1969. The provision is therefore spent.

PART VI

Expiring Laws Continuance Acts

The Acts included in this Part of the Schedule provided for the continuation in force of specified enactments which would otherwise have expired. The periods for which the enactments were continued in force have now expired and the Acts are therefore spent.

PART VII

Consolidated Fund and Appropriation Acts

Consolidated Fund Acts and Appropriation Acts normally become spent on the conclusion of the financial year to which they relate. The Acts proposed for repeal are those passed after 1962 which are now spent.

PART VIII

Finance Acts

The subsisting residues of the Revenue Act 1906 and the Finance Act 1915 consist of only the long and short titles.

Section 46 of the Finance (1909-10) Act 1910 enabled certain holders of licences for the sale of intoxicating liquor to recover from their suppliers a proportion of the increased licence duty

occasioned by the Act of 1910. The section has already been repealed for England and Wales by the Licensing Act 1961, and it is now proposed to extend the repeal to Scotland and Northern Ireland where the section is also obsolete. The repeal proposed to section 96(2) is consequential on the repeal of section 46.

In the case of the Finance Acts of 1916, 1921, 1927, 1944, 1945, 1947, 1952 and 1954 the enactments proposed for repeal are spent. In each case the enactment deals with the construction of a Part of the Act concerned, relating to customs and excise, which is no longer in force.

Section 1(2) of the Finance Act 1931 which increased the rate of rebate on hydrocarbon oils became spent on the repeal in 1964 of section 2 of the Finance Act 1928. The proposed repeal of section 44(1) of the 1931 Act is consequential on the repeal of section 1(2).

Section 46 of the Finance Act 1933 contains a provision as to the exercise of powers conferred on the Board of Trade, and is obsolete because the Act no longer confers any powers on the Board of Trade.

The residue of section 10(1) of the Finance Act 1942 consists of a definition of "war circumstances" which by reason of earlier repeals is now inoperative. The proposed repeal of section 49(2) is consequential on the repeal of section 10(1).

The residue of section 31(2) of the Finance Act 1943 contains a provision relating to the construction of Part I of the Act which by reason of earlier repeals is inoperative.

Section 9(3) of the Finance Act 1946 included in the now repealed Licensing (Consolidation) Act 1910 a provision exempting from that Act the sale of intoxicating liquor for consumption in a passenger aircraft. This provision is now contained in section 199(d) of the Licensing Act 1964, and section 9(3) of the 1946 Act is spent. Section 11 of the 1946 Act contained a provision relating to excise duties on artificial silk which ceased to have effect as respects any period after 30 April 1947. The proposed repeal of section 67(2) is consequential on the repeals of sections 9(3) and 11.

Section 1(7) of the Finance Act 1948, which granted relief to pensioners in respect of an increase in tobacco duty, is spent. Section 82(2), which relates to the construction of a Part of the Act no longer in force, is also spent.

Section 14 of the Finance Act 1949 abolished the excise duties on licences for appraisers, auctioneers, house agents and plate dealers. The section is spent. The parts of section 15 proposed for repeal contain obsolete provisions relating to hawkers' licences under the Hawkers Act 1888 which has been repealed.

Section 44(6) of the Finance Act 1951, which contains a provision relating to the functions of the Board of Trade, has been superseded by section 14 of the Industrial Expansion Act 1968.

Section 3 of the Finance Act 1956 is spent. The section provided that certain provisions of the Customs and Excise Act 1952 relating to retailers' on-licences should cease to have effect. Such licences were abolished by the Finance Act 1967.

Section 39 of the Finance Act 1958, which provided for the winding-up of the Treasury Chest Fund and abolished all Treasury chests, is spent. Treasury chests formerly existed in a number of British stations abroad as a means of obtaining local currency for service pay and other service expenses. The system is now obsolete.

Section 4 of the Finance Act 1960 (which abolished entertainments duty) and section 8 of that Act (which abolished the duties chargeable on playing cards and repealed the enactments requiring manufacturers of playing cards for sale to be licensed) are spent.

Section 1 of and Schedule 1 to the Finance Act 1961 and section 1(2)(e) of the Finance Act 1962 relate to the charging of television advertisement duty. The enactments were repealed in 1964 in relation to programmes broadcast after 29 July 1964 and are now spent in relation to programmes broadcast earlier than that date.

Section 2(2) to (9) of the Finance Act 1961 contains transitional provisions, now spent, relating to an increase in the duty on hydrocarbon oils. Section 10 of the 1961 Act, which temporarily continued Commonwealth preference for goods from the Southern Cameroons (now West Cameroon) until 30 September 1962, is also spent. The word proposed for repeal in section 11(1) of the 1961 Act is a reference to hawkers' licences under the Hawkers Act 1888 which has been repealed.

Section 5(2) and (3) of the Finance Act 1964 (which relates to the duty on hydrocarbon oils produced in the United Kingdom) and section 9 of that Act (which abolished television advertisement duty in relation to programmes broadcast after 29 July 1964) are spent.

The provisions of the Finance Act 1967 proposed for repeal abolished the functions of the Commissioners and officers of Customs and Excise with respect to grants of representation in the case of small estates and are spent.

PART IX

Miscellaneous Enactments

The only remaining sections of the Prison (Escape) Act 1742 provide for the punishment of persons helping prisoners in Scotland to escape; and this is now covered by section 41 of the Police (Scotland) Act 1967.

The only remaining charge on the Consolidated Fund under section 1 of the Irish Charges Act 1801 is the one excepted from the proposed repeal.

Section 14 of the Dublin Police Magistrates Act 1808 provides that officers of the Dublin Police District establishment shall be incapable of sitting in the House of Commons and that such of the divisional justices as may be barristers shall be incapable of practising. Disqualification for membership of the House of Commons is now governed by the House of Commons Disqualification Act 1957, and the terms on which judicial appointments are held in the Republic of Ireland is now a matter for the Legislature of the Republic.

Section 18 of the Parochial Registers Act 1812 relates to the application of the penalties imposed under that Act and is obsolete because no extant provision of the Act imposes penalties.

Apart from repeals which are merely consequential, the repeals proposed in the case of the Act of 1819 (c. 86) would remove obsolete provisions relating to the recovery of gale rents in the Forest of Dean and limiting the time for bringing actions against persons executing the Act either as respects the New Forest or the Forest of Dean.

The Steam Engine Furnaces Act 1821 was passed to facilitate the prosecution and abatement of nuisances arising from furnaces used in the working of steam-engines, but the procedure under the Act is now obsolete.

Section 6 of the Metropolitan Police Act 1829 penalises publicans who knowingly harbour or entertain members of the Metropolitan Police Force while on duty; and its provisions are covered by section 178 of the Licensing Act 1964 which creates a similar offence in relation to all constables in England and Wales. Section 7 of the 1829 Act empowers the arrest of loose, idle and disorderly persons and is unnecessary having regard to the similar powers conferred by section 64 of the Metropolitan Police Act 1839. The proposed repeal of section 35 of the 1829 Act is consequential on repeals made by the Police Act 1946.

Section 6 of the Statutory Declarations Act 1835 provides, in effect, that nothing in the Act is to enable a declaration to be substituted for the oath of allegiance in any case in which

it is or may be required under any existing or future Act. Section 6 is unnecessary by reason of the provisions of sections 5 and 6 of and the Schedule to the Promissory Oaths Act 1868 which have been extended by many subsequent enactments. Section 10 of the 1835 Act which substitutes a declaration for the oath required to be taken by persons acting under Highways Acts, etc., is obsolete and not used today.

The Chimney Sweepers and Chimneys Regulation Act 1840 and the Chimney Sweepers Regulation Act 1864, which regulate the employment of young persons to clean chimneys, are obsolete and unnecessary. The Acts were repealed on this ground for England and Wales by the Chimney Sweepers Acts (Repeal) Act 1938 and it is now proposed to extend the repeals to Scotland and Northern Ireland.

The County Rates Act 1844, which was designed to facilitate the collection of county rates, is now obsolete.

The Land Drainage Act 1845, which enables limited owners to petition the Chancery Division of the High Court for leave to effect permanent drainage improvements, is now obsolete. The Improvement of Land Act 1864 and the Settled Land Act 1925 enable the same purpose to be achieved by simpler and cheaper means.

Section 1 of the Landlord and Tenant Act 1851 extends certain agricultural tenancies in lieu of claims for emblements (the common law right of a tenant to enter after his tenancy and gather such of the crops he has sown as normally mature within a year). Section 3 of the Act empowers an agricultural tenant to remove fixtures and buildings affixed or erected by him unless the landlord elects to purchase them. Having regard to sections 4 and 13 of the Agricultural Holdings Act 1948, sections 1 and 3 of the 1851 Act are now unnecessary.

The Poor Law Amendment Act 1851 contains provisions as to the civil jurisdiction of justices to deal with complaints against officers of a civil parish or of a poor law union for neglecting to pay money to the treasurer. These provisions are now obsolete.

Section 327 of the Customs Consolidation Act 1853 empowers the making of orders in council regulating trade and commerce to and from any British possessions on or near the continent of Europe or within the Mediterranean Sea or in Africa. No orders in council are in force under the section and it no longer serves any useful purpose.

Section 10 of the Pilotage Law Amendment Act 1853 is spent. It provided for the transfer to Trinity House of the property of the Cinque Port Pilots. Section 13 of the Act empowers Trinity House to make regulations as to the management of the Trinity House Pilots Fund, etc. Regulations made

under the section have been superseded by byelaws made under the Pilotage Act 1913 and the powers are no longer used.

The repeal proposed to the Public Revenue and Consolidated Fund Charges Act 1854 is consequential on the proposed repeal to section 1 of the Irish Charges Act 1801.

Sections 1 to 3 of the Domicile Act 1861 contain provisions, which do not operate in relation to any foreign state until the conclusion of a convention with that state, whereby subjects of the foreign state dying in the United Kingdom or British subjects dying in the foreign state are deemed not to have acquired a domicile in the country where they died unless they were resident there for one year immediately preceding the date of death and had declared their intention to be so domiciled. These provisions of the Act have never been brought into operation and so far as sections 1 to 3 are concerned the Act has proved to be a dead letter.

Sections 108 to 113 of the Land Registry Act 1862 have been superseded by later enactments. These sections made provision for the establishment of the Office of Land Registry and for the appointment, terms of service, salaries and pension of the registrars and other officers and servants.

The Act of 1863 (c.101) is spent. It was one of a long series of Acts appointing Land Tax Commissioners by name. The other Acts in the series have already been repealed and the office of Land Tax Commissioner was abolished by the Finance Act 1963.

The Chimney Sweepers Regulation Act 1864 is discussed above in the paragraph relating to the Act of 1840.

The residue of the Highway Act 1864 contains a provision, which is no longer necessary, that justices assembled in petty sessions may exercise any jurisdiction which they are authorised under the Highway Acts to exercise in special sessions.

The only remaining substantive provision in the Courts of Justice Building Act 1865 is spent. This is a provision that on the passing of the Act certain land and buildings should vest in the Commissioners of Works.

The Endowed Schools Act 1868 became spent when the Endowed Schools Act 1869 received the royal assent.

The Chimney Sweepers Act 1875 made provision for the certification of chimney sweeps. The Act was repealed for England and Wales in 1938 and is now only in force in Northern Ireland where it is unnecessary and has fallen into disuse.

Section 5 of the Statute Law Revision (Substituted Enactments) Act 1876, which is only in force in Scotland, is spent. It confers a right of appeal against convictions under section 10 of the Prevention of Crimes Act 1871 which was repealed, so far as it related to Scotland, by the Theft Act 1968.

The Prevention of Crimes Amendment Act 1876, which is only in force in Scotland, is spent. The Act restricts the obligation of registering prisoners imposed by section 6 of the Prevention of Crimes Act 1871 which was repealed, so far as it related to Scotland, by section 42 of the Criminal Justice (Scotland) Act 1963.

The substantive residue of the Customs Tariff Act 1876 consists of a proviso relating to tobacco duty which is no longer required.

In consequence of earlier repeals section 9 of the Penal Servitude Act 1891, which provides for the exercise of powers by the Secretary for Scotland, is now inoperative. The words proposed for repeal in section 11 define an expression which does not appear in the unrepealed residue of the Act and provide for a collective citation which no longer serves any useful purpose.

The Chimney Sweepers Act 1894 (which did not extend to Scotland) made it an offence for any person to solicit employment as a chimney sweeper by knocking on doors, ringing bells or using any noisy instrument. In 1938 the Act was repealed for England and Wales as being obsolete and it is now proposed to extend the repeal to Northern Ireland.

The remaining provisions of the Housing of the Working Classes Act 1890 Amendment (Scotland) Act 1896 are spent as the result of the repeal of other Acts.

The provisions of the Criminal Appeal (Scotland) Act 1926 proposed for repeal are savings for the benefit of persons convicted before November 1926. These savings are now spent.

The proposed repeal in the case of the Public Health (Smoke Abatement) Act 1926 is of words which have become unnecessary as the result of earlier repeals.

As a result of the Criminal Appeal (Scotland) Act 1927 the power of the Secretary of State to refer cases to the High Court of Justiciary became exercisable as respects persons convicted before November 1926. The Act is now spent.

It is proposed to make an express repeal of section 5 of the Administration of Justice Act 1932. The section was repealed by implication by section 10 of the Solicitors Act 1941. It relates to the discretion of the Registrar of Solicitors to issue a practising certificate in a case where one has ceased to be held for over twelve months. The matter is now dealt with by section 6 of the Solicitors Act 1965.

The Russian Goods (Import Prohibition) Act 1933 was an Act to authorise the prohibition of the importation of Russian goods. The Act was used on only one occasion, soon after it was passed. The objectives of the Act could, if necessary, be

achieved by the use of the powers conferred on the Board of Trade by the Import, Export and Customs Powers (Defence) Act 1939.

All the substantive provisions of the Money Payments (Justices Procedure) Act 1935 have already been repealed. It is now proposed to repeal some ancillary provisions which are inoperative.

It is proposed to repeal parts of the Electricity Supply (Meters) Act 1936 and the Electricity Act 1947 and the whole of the Electricity Supply (Meters) Act 1952. In the case of sections 1(1) and 4(1) of the 1936 Act the proposed repeals are of provisions which became spent after the appointed day, i.e. 1 July 1938. Section 1(2) of that Act relates to meter inspectors appointed under section 1(7) of the Electricity (Supply) Act 1919 and can have no further application following the repeal in 1948 of section 1 of the 1919 Act. All the other provisions proposed for repeal became spent on 1 July 1958. On that day the transitional provisions in section 3 of the 1936 Act (as to the temporary continuance in use of meters installed before the appointed day) ceased to have effect.

Subsections (1) and (3) of section 24 of the Air Navigation Act 1936 became spent in 1964 on the repeal of the enactments which those subsections amended.

The words proposed for repeal in section 22 of the Town and Country Planning (Scotland) Act 1947 were inadvertently allowed to remain when section 21 of that Act was repealed by the Town and Country Planning (Scotland) Act 1969.

Section 52 of the Electricity Act 1947 is discussed above in the paragraph relating to the Act of 1936.

The Cotton Spinning (Re-equipment and Subsidy) Act 1948 provided for grants out of public money in respect of the re-equipment or modernisation of cotton spinning concerns. The limited period during which the powers conferred by the Act were exercisable expired in 1950 and the Act as such is spent. But subsection (6) of section 2 (which made provision for re-equipment grants) of the Cotton Industry Act 1959 provided that sections 2, 4 and 5 of the 1948 Act should apply, with specified modifications, for the purposes of the 1959 Act.

All the substantive provisions of the Licensing Act 1949 have already been repealed and the remaining ancillary provisions are inoperative.

Section 4 of the Miscellaneous Financial Provisions Act 1950 required the Czecho-Slovak Financial Claims Fund to be wound up. This winding-up has now been completed and section 4 is therefore spent.

The Electricity Supply (Meters) Act 1952 is discussed above in the paragraph relating to the Act of 1936.

The provisions in the Customs and Excise Act 1952 proposed for repeal are amendments of enactments which have since been repealed or which are now proposed for repeal.

The provisions of section 3(5) of and Schedule 1 to the Slaughterhouses Act 1954 (which contain temporary provisions as to the licensing of slaughterhouses) are spent. Any slaughterhouse licence granted in pursuance of these provisions would have expired, at the latest, on 31 July 1959.

Section 55 of the Town and Country Planning Act 1954 empowered the Lands Tribunal to modify certain mining leases. The period during which applications under that section could be made expired on 31 December 1955 and the powers were never in fact exercised. Section 56(3) of the Act is a repealing enactment which is spent. Subsections (1) and (6) of section 61 enacted limitations on the power to make orders in certain cases under section 55. Since no orders have been made under section 55 and none can be made in future, the provisions of these subsections are spent. Section 63 (which has already been repealed for England) became spent in 1959 on the completion of the winding-up and dissolution of the Central Land Board. In the case of section 69(1) the proposed repeals are of definitions which are now inoperative. Section 70 amended an enactment of 1947 which was repealed in 1962. The words proposed for repeal in subsections (2) and (3) of section 72 became spent on 1 January 1955 on the coming into force of an order appointing one day for the coming into operation of the whole of the Act. The proposed repeal in section 72(4) is consequential on the repeal of section 63.

Section 57 of the Town and Country Planning (Scotland) Act 1954 empowered the Lands Tribunal to modify certain mining leases. The period during which applications could be made under that section expired on 31 December 1955. Section 63 became spent in 1959 on the completion of the winding-up and dissolution of the Central Land Board.

The only remaining provisions of the County Courts Act 1955 consist of the long and short titles.

The words proposed for repeal in section 67 of the Food and Drugs Act 1955 are spent. They provided that the period of duration of certain slaughterhouse licences should end not later than 31 July 1959. The provisions in section 136 and Schedule 12 proposed for repeal consist of savings which are now spent. These savings relate to the licensing of slaughterhouses and to the compensation payable in certain cases where a licence was refused or ceased to have effect.

Subsection (5) of section 4 of the Road Traffic Act 1956 became spent on 4 August 1960 on the coming into operation by virtue of S.I. 1960 No. 1242 of subsections (3) and (4) of that section. These subsections enabled directions to be given for a speed limit of 40 miles per hour on certain roads.

All the substantive provisions of the National Insurance (No. 2) Act 1957 have already been repealed. The remaining ancillary provisions are inoperative.

Section 9 of the Betting Levy Act 1961 is spent. It contained transitional provisions consequential on the establishment by the Act of a Horserace Betting Levy Board and the transfer to that Board of functions formerly exercisable by the Horserace Totalisator Board.

The words in Schedule 8 to the Police Act 1964 proposed for repeal are references to the River Tyne Police Force which was dissolved by article 70 of S.I. 1968 No. 942.

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