



The Law Commission
and
The Scottish Law Commission

(LAW COM. No. 49)
(SCOT. LAW COM. No. 26)

STATUTE LAW REVISION: FOURTH REPORT

DRAFT STATUTE LAW (REPEALS) BILL

*Presented to Parliament by the Lord High Chancellor,
the Secretary of State for Scotland and the Lord Advocate
by Command of Her Majesty
September 1972*

LONDON
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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 other than the law of Scotland or of any law of Northern Ireland which the Parliament of Northern Ireland has power to amend. The Commissioners are—

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

Mr. Claud Bicknell, O.B.E.

Mr. Aubrey L. Diamond.

Mr. Derek Hodgson, 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.

The Scottish Law Commission was set up by section 2 of the Law Commissions Act 1965 for the purpose of promoting the reform of the law of Scotland. The Commissioners are—

The Honourable Lord Hunter, *Chairman*.

Professor A. E. Anton.

Professor J. M. Halliday, C.B.E.

Professor T. B. Smith, Q.C.

Mr. Ewan Stewart, M.C., Q.C.

The Secretary of the Commission is Mr. J. B. Allan and its offices are at the Old College, University of Edinburgh, South Bridge, Edinburgh, EH8 9BD.

THE LAW COMMISSION
and
THE SCOTTISH LAW COMMISSION

STATUTE LAW REVISION: FOURTH 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 Saint Marylebone,
Lord High Chancellor of Great Britain,
the Right Honourable Gordon Campbell, M.C., M.P., Her
Majesty's Secretary of State for Scotland, and
the Right Honourable Norman Wylie, V.R.D., Q.C., M.P.,
Her Majesty's Advocate.*

We have prepared the draft Bill which is Appendix 1 to this Report and recommend that effect be given to the proposals contained in it. An explanatory note on the contents of the draft Bill accompanies this Report as Appendix 2.

This draft Bill has been prepared in continuation of 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 that can be treated as inoperative, but also of matter that no longer serves a substantial purpose.

The amendments specified in Schedule 2 to the draft Bill are designed to preserve certain effects of enactments otherwise ready for repeal.

The repeals proposed in the draft Bill have been widely canvassed with the Government departments and other bodies concerned with them and the repeals which extend to Northern Ireland have been agreed to by the authorities in Northern Ireland.

The basic aim of the draft Bill is to improve the statute book of the United Kingdom, but a number of the enactments proposed for repeal have, by virtue of their own terms, a wider application to territories outside the United Kingdom. It is desirable that it should be clear that the repeals have no direct effect on the law of these territories but that, in the case of certain territories not having the legislative competence to make the repeals for themselves, machinery should be provided to enable the repeals to be extended to them if, after consultation, it is thought right that this should be done. Accordingly, with the agreement of the Home Office and the Foreign and Commonwealth Office, clause 2(2) of the draft Bill makes it clear that the Bill does not repeal any

enactment so far as the enactment forms part of the law of a country outside the United Kingdom, but enables Her Majesty by Order in Council to provide that the repeal by the Bill of any enactment specified in the Order shall extend to any of the Channel Islands or the Isle of Man or any colony for whose external relations the United Kingdom is responsible.

Signed LESLIE SCARMAN, *Chairman*
Law Commission.

CLAUD BICKNELL.

AUBREY L. DIAMOND.

DEREK HODGSON.

NORMAN S. MARSH.

J. M. CARTWRIGHT SHARP, *Secretary.*

J. O. M. HUNTER, *Chairman*
Scottish Law Commission.

ALEXANDER E. ANTON.

JOHN M. HALLIDAY.

T. B. SMITH.

EWAN STEWART.

J. B. ALLAN, *Secretary.*

2 August 1972.

APPENDIX 1
Statute Law (Repeals) Bill

DRAFT
OF A
B I L L

TO

PROVIDE for the reform of the statute law by the A.D. 1972
repeal, in accordance with recommendations of the
Law Commission and the Scottish Law Commission,
of certain enactments which, except so far as their effect
is preserved, are no longer of practical utility.

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.—(1) The enactments mentioned in Schedule 1 to this Act Repeals, and
are, subject in the case of the enactments mentioned in associated
Parts II, VI and XI of that Schedule to the savings specified at the amendments.
end of those Parts, hereby repealed to the extent specified in
column 3 of that Schedule.
- 10 (2) The enactments mentioned in Schedule 2 to this Act shall
have effect with the amendments specified in that Schedule
(which preserve certain effects of enactments repealed by the
preceding subsection).
- 15 2.—(1) It is hereby declared that, except as provided by Provisions
paragraph 2(2) of Schedule 2 to this Act, this Act extends to relating to
Northern Ireland; but nothing in this Act shall be taken to Northern
restrict the power of the Parliament of Northern Ireland to make Ireland
laws, and any laws made by that Parliament in the exercise of and certain
that power shall have effect notwithstanding anything in this Act. overseas
territories.

Statute Law (Repeals) Bill

(2) It is hereby declared that this Act does not repeal any enactment so far as the enactment forms part of the law of a country outside the United Kingdom; but Her Majesty may by Order in Council provide that the repeal by this Act of any enactment specified in the Order shall on a date so specified⁵ extend to any of the Channel Islands or the Isle of Man or any colony for whose external relations the United Kingdom is responsible.

Short title. 3. This Act may be cited as the Statute Law (Repeals) Act 1972.

Statute Law (Repeals) Bill

SCHEDULES

SCHEDULE 1

Section 1(1).

ENACTMENTS REPEALED

PART I

5 ENACTMENTS RELATING TO THE DEMISE OF THE CROWN

| Chapter | Short title | Extent of repeal |
|-------------------------------------|---------------------------------------|---|
| 6 Anne c. 41. | The Succession to the Crown Act 1707. | Section 8. |
| 10 11 Geo. 4 & 1 Will. 4. c. 43. | The Demise of the Crown Act 1830. | The whole Act except section 4. In section 4, the words " heretofore granted or " |
| 1 Will. 4. c. 4. | The Colonial Offices Act 1830. | The whole Act. |
| 7 Will. 4. & 1 Vict. c. 31. | The Demise of the Crown Act 1837. | The whole Act. |
| 15 37 & 38 Vict. c. 81. | The Great Seal (Offices) Act 1874. | In section 8, the words from " and shall continue " to " successors " |
| 20 39 & 40 Vict. c. 59. | The Appellate Jurisdiction Act 1876. | In section 6, the words from " and shall continue " to " Crown " |
| 50 & 51 Vict. c. 55. | The Sheriffs Act 1887. | In section 3(3), the words " of the Crown, or in Cornwall " |
| 25 1 Edw. 7. c. 5. | The Demise of the Crown Act 1901. | Section 1(2). |
| <i>Act of Parliament of Ireland</i> | | |
| 21 & 22 Geo. 3. c. 48 (Ir.). | Yelverton's Act (Ireland) 1781. | In section 3, the words " of any office, civil or military or " |

PART II

30 ECCLESIASTICAL ENACTMENTS RELATING TO BISHOPRICS

| Chapter | Short title | Extent of repeal |
|-------------------------|--|--|
| 10 & 11 Vict. c. 108. | The Ecclesiastical Commissioners Act 1847. | The whole Act. |
| 35 38 & 39 Vict. c. 34. | The Bishopric of St. Albans Act 1875. | The whole Act. |
| 39 & 40 Vict. c. 54. | The Bishopric of Truro Act 1876. | The whole Act. |
| 41 & 42 Vict. c. 68. | The Bishoprics Act 1878. | The whole Act except sections 1 and 5. |
| 40 47 & 48 Vict. c. 66. | The Bishopric of Bristol Act 1884. | Section 2. In section 3, in paragraph (1), the words from " and in the construction " onwards, and paragraphs (3) and (5). |
| 45 57 & 58 Vict. c. 21. | The Bishopric of Bristol Amendment Act 1894. | The Schedule. |
| 59 & 60 Vict. c. 29. | The Bishopric of Bristol Amendment Act 1896. | The whole Act. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal | |
|---------------------------------|--|---|----|
| 4 Edw. 7. c. 30. | The Bishoprics of Southwark and Birmingham Act 1904. | The whole Act. | |
| 3 & 4 Geo. 5. c. 36. | The Bishoprics of Sheffield, Chelmsford, and for the County of Suffolk Act 1913. | The whole Act. | 5 |
| 7 & 8 Geo. 5. c. 57. | The Bishoprics of Bradford and Coventry Act 1918. | The whole Act. | 10 |
| <i>Church Assembly Measures</i> | | | |
| 14 & 15 Geo. 5. No. 4. | The Bishopric of Blackburn Measure 1923. | The whole Measure except sections 1 and 13. | |
| 14 & 15 Geo. 5. No. 5. | The Diocese of Southwell (Division) Measure 1923. | The whole Measure. | 15 |
| 14 & 15 Geo. 5. No. 6. | The Diocese of Winchester (Division) Measure 1923. | The whole Measure. | |
| 15 & 16 Geo. 5. No. 2. | The Bishopric of Leicester Measure 1925. | The whole Measure. | 20 |
| 25 & 26 Geo. 5. No. 1. | The Diocese of Southwell (Transfer) Measure 1935. | The whole Measure. | |

The repeal by this Act of an enactment mentioned in this Part of 25 this Schedule does not affect any Order in Council or scheme which, immediately before the repeal takes effect, was in force by virtue of that enactment.

PART III

OTHER ECCLESIASTICAL ENACTMENTS 30

| Chapter | Title or short title | Extent of repeal | |
|---------------------------|---|--|----|
| 5 Eliz. 1. c. 28. (1562). | An Acte for the translating of the Bible and the Dyvine Service into the Welshe Tongue. | The whole Act. | 35 |
| 14 Chas. 2. c. 4. | The Act of Uniformity 1662. | In section 5, the words from "upon pain" onwards. Section 11. In section 13, the words from "the present governour" to "and two and". Sections 22 and 23. | 40 |
| 6 Anne c. 8. (1706). | An Act for securing the Church of England as by law established. | In section 1, the words from "Act made in the thirteenth year", where first occurring, to "and also another". | 45 |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal | |
|---------|-----------------------------|---|---|
| 6 | Anne c. 11. | The Union with Scotland Act 1706. | In section 3, the words from "Act made in the thirteenth year", where first occurring, to "and also another". Sections 1 to 5. |
| 5 | 10 Anne c. 43 (1711). | An Act for completing a chapel of ease in the lower town of Deal in the county of Kent by a duty on waterborn coals to be brought into the said town. | |
| 10 | 4 Geo. 4. c. 79 (1823). | An Act for building additional places of worship in the Highlands and Islands of Scotland. | The whole Act. |
| 15 | 5 Geo. 4. c. 90 (1824). | An Act to amend an Act for building additional places of worship in the Highlands and Islands of Scotland. | The whole Act. |
| 20 | 15 & 16 Vict. c. 53 (1852). | An Act to provide for the exercise of certain powers vested in the Bishop of Quebec in respect of districts severed from his diocese. | The whole Act. |
| 25 | 28 & 29 Vict. c. 89. | The Greenwich Hospital Act 1865. | Section 44. |

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PART IV

ENACTMENTS RELATING TO BANKING

| Chapter | Title or short title | Extent of repeal |
|-----------------------|-------------------------------------|---|
| 8 & 9 Will. 3. c. 20. | The Bank of England Act 1696. | The whole Act. |
| 35 15 Geo. 2. c. 13. | The Bank of England Act 1741. | The whole Act. |
| 5 Geo. 3. c. 49. | The Bank Notes (Scotland) Act 1765. | Section 2. In sections 4, 5 and 6, the words "post bill", "post bills" and "or post bills", wherever occurring. |
| 40 | 12 Geo. 3. c. 72. | The Bills of Exchange (Scotland) Act 1772. In section 39, the words "or post bills", "in either of the cases before mentioned" and "said bills and". |
| 45 | 39 & 40 Geo. 3. c. 28. | The Bank of England Act 1800. The whole Act. |
| 50 | 45 Geo. 3. c. 89. | The Bank Notes (Forgery) Act 1805. In section 3, the words "or bank post bill" and "or blank bank post bill", wherever occurring. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal |
|--------------------------------|--|--|
| 45 Geo. 3. c. 89— <i>cont.</i> | The Bank Notes (Forgery) Act 1805— <i>cont.</i> | In section 4, the words “in guineas, or”. In sections 5, 6 and 7, the words “bank post bill”, “or bank post bill”, “and bank post bills” and “or blank bank post bill”, wherever occurring. |
| 53 Geo. 3. c. 96. | The Bank of England (Advance) Act 1816. | The whole Act. |
| 3 & 4 Will. 4. c. 83. | The Bank Notes Act 1833. | The whole Act. |
| 3 & 4 Will. 4. c. 98. | The Bank of England Act 1833. | The whole Act. |
| 5 & 6 Will. 4. c. 62. | The Statutory Declarations Act 1835. | In section 14, the words “or bank post bill”. |
| 7 & 8 Vict. c. 32. | The Bank Charter Act 1844. | In section 1, the words from “subject to the rules” onwards. |
| 16 & 17 Vict. c. 2. | The Bank Notes Act 1852. | Section 26. |
| 19 & 20 Vict. c. 100 (1856). | An Act to amend the law with respect to the election of directors of joint stock banks in England. | In section 1, the words “bank post bills”, wherever occurring. |
| 27 & 28 Vict. c. 78. | The Bank Notes (Ireland) Act 1864. | The whole Act. |
| 32 & 33 Vict. c. 24. | The Newspapers, Printers and Reading Rooms Repeal Act 1869. | In the preamble, the words “bank post bills” in both places. In section 1, the words “bank post bills”, wherever occurring. |
| 3 & 4 Geo. 5. c. 27. | The Forgery Act 1913. | In Schedule 2, in the entry relating to 51 Geo. 3. c. 65, the words “or bank post bill”. |
| 18 & 19 Geo. 5. c. 13. | The Currency and Bank Notes Act 1928. | In section 18(1), in the definition of “bank note”, the words “bank post bill” and the words “and ‘blank bank post bill’”. |
| 2 & 3 Eliz. 2. c. 12. | The Currency and Bank Notes Act 1954. | In section 3(3), the words from “but shall not be required” onwards. |
| 1968 c. 13. | The National Loans Act 1968. | Section 4(2). |
| 1969 c. 48. | The Post Office Act 1969. | In section 12(7), the words from “and section 1” onwards. In Schedule 6, in Part III, the entries relating to sections 21, 54 and 56 of the Trustee Savings Banks Act 1954. |

Statute Law (Repeals) Bill

| Chapter | Title or short title | Extent of repeal |
|-------------------------------------|--|------------------|
| <i>Act of Parliament of Ireland</i> | | |
| 39 Geo. 3. c. 63 (Ir.). | The Bank of England Act (Ireland) 1799. | The whole Act. |

SCH. 1

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PART V

CRIMINAL LAW ENACTMENTS

| Chapter | Short title | Extent of repeal |
|-----------------------------------|---|---|
| 1 Geo. 1 Stat. 2. c. 5 (1714). | The Riot Act. | The whole Act. |
| 10 20 Geo. 2. c. 30. | The Treason Act 1746. | The whole Act. |
| 25 Geo. 2. c. 37. | The Murder Act 1751. | The whole Act. |
| 15 52 Geo. 3. c. 130. | The Malicious Damage Act 1812. | The whole Act. |
| 52 Geo. 3. c. 156. | The Prisoners of War (Escape) Act 1812. | The whole Act. |
| 54 Geo. 3. c. 146. | The Treason Act 1814. | Section 2. |
| 20 56 Geo. 3. c. 125. | The Malicious Damage (Scotland) Act 1816. | The whole Act. |
| 56 Geo. 3. c. 138. | The Pillory Abolition Act 1816. | The whole Act. |
| 58 Geo. 3. c. 29. | The Fees for Pardons Act 1818. | The whole Act. |
| 25 6 Geo. 4. c. 47. | The Leasing-making (Scotland) Act 1825. | The whole Act. |
| 7 & 8 Geo. 4. c. 20. | The Fraudulent Bank- rupts (Scotland) Act 1827. | The whole Act. |
| 30 10 Geo. 4. c. 38. | The Criminal Law (Scot- land) Act 1829. | The whole Act. |
| 36 & 37 Vict. c. 60. | The Extradition Act 1873. | In the Schedule, in the entry relating to the Theft Act 1968, the words "which is not in- cluded in the First Schedule to the principal Act". |
| 35 2 & 3 Geo. 6. c. 50. | The Prevention of Viol- ence (Temporary Provi- sions) Act 1939. | The whole Act. |
| 40 3 & 4 Geo. 6. c. 21. | The Treachery Act 1940. | The whole Act. |
| 5 & 6 Eliz. 2. c. 11. | The Homicide Act 1957. | Section 14. |
| 45 1965 c. 71. | The Murder (Abolition of Death Penalty) Act 1965. | Section 4. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|-------------|---------------------------------|---|
| 1967 c. 77. | The Police (Scotland) Act 1967. | In section 52(1), the proviso. In Schedule 4, the entry relating to the Homicide Act 1957. |
| 1968 c. 19. | The Criminal Appeal Act 1968. | Section 52(2). In Schedule 5, Part II. |

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PART VI

HIGHWAY AND TRAFFIC LAW ENACTMENTS

| Chapter | Title or short title | Extent of repeal |
|--------------------------------|---|---|
| 22 Chas. 2. c. 12. | The Bridges Act 1670. | The whole Act. |
| 53 Geo. 3. c. 117. | The Bridges (Scotland) Act 1813. | The whole Act. |
| 1 & 2 Will. 4. c. 22. | The London Hackney Carriage Act 1831. | Section 37. Sections 43 to 45. |
| 5 & 6 Will. 4. c. 50. | The Highway Act 1835. | Sections 59 and 60. Sections 50 and 76. In section 78, the words from "or if any person", where first occurring, to "principal owners of such waggon, cart or carriage". |
| 2 & 3 Vict. c. 47. | The Metropolitan Police Act 1839. | Section 51. In section 54, in paragraph 9, the words "during the time of divine service, and". |
| 6 & 7 Vict. c. 86. | The London Hackney Carriages Act 1843. | Sections 56 and 59. Sections 4 and 32. |
| 10 & 11 Vict. c. 89. | The Town Police Clauses Act 1847. | Section 22, including that section as incorporated in any other Act. |
| 16 & 17 Vict. c. 33. | The London Hackney Carriage Act 1853. | Sections 4 to 6. In section 7, the proviso. In section 10, the words from "without" onwards. In section 17, the words from "as set forth" to "annexed". Schedule (A). |
| 16 & 17 Vict. c. 127. | The London Hackney Carriage (No. 2) Act 1853. | Sections 13 to 15. |
| 24 & 25 Vict. c. 69. | The Tramways (Scotland) Act 1861. | The whole Act. |
| 27 & 28 Vict. c. 88 (1864). | An Act for the better regulation of the traffic on Westminster Bridge and for the prevention of obstructions thereon. | The whole Act. |

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Statute Law (Repeals) Bill

| Chapter | Title or short title | Extent of repeal |
|--------------------------------|---|---|
| 28 & 29 Vict. c. 56. | The Trespass (Scotland) Act 1865. | In section 3, the words from "turnpike" to "other". |
| 30 & 31 Vict. 5 c. 134. | The Metropolitan Streets Act 1867. | In section 4, the definition of "the special limits of this Act". Sections 8 and 26. |
| 32 & 33 Vict. c. 115. | The Metropolitan Public Carriage Act 1869. | In section 9(3), the proviso. |
| 10 41 & 42 Vict. c. 51. | The Roads and Bridges (Scotland) Act 1878. | In section 3, the definition of "tolls". Sections 32, 37, 39 and 40. |
| 15 | | In section 44, the words from "and the price" onwards. In section 45, the words "for a district committee, or" and "where the county is not divided into districts". |
| 20 | | Sections 53, 56, 69, 70, 75, 87 to 90, 93, 96, 98, 99, 113, 119 and 121. |
| 43 Vict. c. 7. | The Roads Amendment Act 1880. | The whole Act. |
| 45 & 46 Vict. 25 c. 27. | The Highway Rate Assessment and Expenditure Act 1882. | The whole Act. |
| 48 & 49 Vict. c. 61. | The Secretary for Scotland Act 1885. | In the Schedule, in Part I, the entry relating to Roads and Bridges. |
| 30 7 Edw. 7. c. 55. | The London Cab and Stage Carriage Act 1907. | In section 1(1), the proviso. |
| 15 & 16 Geo. 5. c. 68. | The Roads Improvement Act 1925. | Section 9(2). In section 12(b), the words from "or a district" to "districts". |
| 35 | | In section 12(d), the words "district committee", wherever occurring, and the word "district". |
| 40 | | In section 12(e), the words "or by a district committee". |
| 1 Edw. 8 & 1 Geo. 6. c. 5. | The Trunk Roads Act 1936. | Section 6(5). |
| 9 & 10 Geo. 6. c. 30. | The Trunk Roads Act 1946. | Section 12(3) and (16). Section 9(1) and (2). |
| 45 8 & 9 Eliz. 2. c. 16. | The Road Traffic Act 1960. | In section 150(1), the words from "sections" to "1867". |

The repeal by this Act of section 88 of the Roads and Bridges (Scotland) Act 1878 does not affect any agreement which, immediately before the repeal takes effect, was in force by virtue of paragraph (1) of that section.

Statute Law (Repeals) Bill

SCH. 1

PART VII

ENACTMENTS RELATING TO OVERSEAS TERRITORIES

| Chapter | Title or short title | Extent of repeal | |
|--------------------------------|---|---|----------|
| 14 Geo. 3. c. 88 (1774). | An Act to establish a fund towards further defraying the charges of the administration of justice and support of the civil government within the province of Quebec in America. | The whole Act. | 5 |
| 18 Geo. 3. c. 12. | The Taxation of Colonies Act 1778. | The whole Act. | |
| 1 & 2 Geo. 4. c. 121. | The Commissariat Accounts Act 1821. | The whole Act. | 10 |
| 6 Geo. 4. c. 87. | The Consular Advances Act 1825. | The whole Act. | |
| 1 & 2 Vict. c. 67. | The West Indian Prisons Act 1838. | The whole Act. | |
| 24 & 25 Vict. c. 11. | The Foreign Law Ascertainment Act 1861. | The whole Act. | 15 |
| 26 & 27 Vict. c. 35. | The South Africa Offences Act 1863. | The whole Act. | |
| 26 & 27 Vict. c. 76. | The Colonial Letters Patent Act 1863. | The whole Act. | 20 |
| 27 & 28 Vict. c. 62. | The Isle of Man Harbours Amendment Act 1864. | The whole Act. | |
| 28 & 29 Vict. c. 28 (1865). | An Act to authorise certain payments out of the land revenues of the Crown to provide compensation for certain claims in the Isle of Man. | The whole Act. | 25 |
| 36 & 37 Vict. c. 22. | The Australian Colonies Duties Act 1873. | The whole Act. | |
| 37 & 38 Vict. c. 38. | The Straits Settlements Offences Act 1874. | The whole Act. | 35 |
| 38 & 39 Vict. c. 51. | The Pacific Islanders Protection Act 1875. | Schedules A and B. | |
| 38 & 39 Vict. c. 53. | The Canada Copyright Act 1875. | The whole Act. | 40 |
| 40 & 41 Vict. c. 47. | The South Africa Act 1877. | The whole Act. | |
| 53 & 54 Vict. c. 37. | The Foreign Jurisdiction Act 1890. | Sections 14, 15 and 17. In Schedule 1, the entry relating to the Foreign Law Ascertainment Act 1861. | 45 |
| 54 & 55 Vict. c. 36. | The Consular Salaries and Fees Act 1891. | Schedule 2. Section 4. | |
| 56 & 57 Vict. c. 5. | The Regimental Debts Act 1893. | The Schedule. In section 16, the words "or India". In section 29, in the definition of "representation", the words "India or", wherever | 50 55 |

Statute Law (Repeals) Bill

| Chapter | Title or short title | Extent of repeal | SCH. 1 |
|-------------------------------------|---|---|--------|
| 56 & 57 Vict. c. 5— <i>cont.</i> | The Regimental Debts Act 1893— <i>cont.</i> | occurring, and, in the definition of "official administrator", the words "means in India the administrator-general of any province, and". | |
| 5 | | The whole Act. | |
| 57 & 58 Vict. c. 17. | The Colonial Officers (Leave of Absence) Act 1894. | The whole Act. | |
| 10 58 & 59 Vict. c. 3. | The Australian Colonies Duties Act 1895. | The whole Act. | |
| 62 & 63 Vict. c. 16. | The Gordon Memorial College at Khartoum Act 1899. | The whole Act. | |
| 15 15 & 16 Geo.5. c. 9. | The Anglo-Italian Treaty (East African Territories) Act 1925. | The whole Act. | |
| 18 & 19 Geo. 5. c. 23. | The Straits Settlements and Johore Territorial Waters (Agreement) Act 1928. | The whole Act. | |
| 20 | | The whole Act. | |
| 24 & 25 Geo. 5. c. 55. | The Dindings Agreement (Approval) Act 1934. | The whole Act. | |
| 2 & 3 Geo. 6. c. 86. | The Isle of Man (War Legislation) Act 1939. | The whole Act. | |
| 25 | The Colonial War Risks Insurance (Guarantees) Act 1941. | The whole Act. | |
| 4 & 5 Geo. 6. c. 35. | The Malta (Reconstruction) Act 1947. | The whole Act. | |
| 10 & 11 Geo. 6. c. 9. | The Republic of South Africa (Temporary Provisions) Act 1961. | The whole Act. | |
| 30 | The Republic of South Africa (Temporary Provisions) Act 1961. | The whole Act. | |
| 9 & 10 Eliz. 2. c. 23. | The Republic of South Africa (Temporary Provisions) Act 1961. | The whole Act. | |

PART VIII

35 ENACTMENTS RELATING TO AGRICULTURE

| Chapter | Short title | Extent of repeal |
|---------------------------|---|--|
| 39 & 40 Geo. 3. c. 81. | The Hop Trade Act 1800. | The whole Act. |
| 29 & 30 Vict. c. 37. | The Hop (Prevention of Frauds) Act 1866. | Sections 4 and 6. |
| 40 | The Small Holdings and Allotments Act 1908. | Section 51. |
| 8 Edw. 7. c. 36. | The Small Landholders (Scotland) Act 1911. | In Schedule 1, the entries relating to the Sale of Food and Drugs Acts 1875 to 1907, the Merchandize Marks (Prosecutions) Act 1894, the Fertilisers and Feeding Stuffs Act 1906, the Agricultural Holdings (Scotland) Acts 1908 and 1910 and the Housing and Town Planning Act 1909. |
| 1 & 2 Geo. 5. c. 49. | The Small Landholders (Scotland) Act 1911. | In Schedule 1, the entries relating to the Sale of Food and Drugs Acts 1875 to 1907, the Merchandize Marks (Prosecutions) Act 1894, the Fertilisers and Feeding Stuffs Act 1906, the Agricultural Holdings (Scotland) Acts 1908 and 1910 and the Housing and Town Planning Act 1909. |
| 45 | | In Schedule 1, the entries relating to the Sale of Food and Drugs Acts 1875 to 1907, the Merchandize Marks (Prosecutions) Act 1894, the Fertilisers and Feeding Stuffs Act 1906, the Agricultural Holdings (Scotland) Acts 1908 and 1910 and the Housing and Town Planning Act 1909. |
| 50 | | In Schedule 1, the entries relating to the Sale of Food and Drugs Acts 1875 to 1907, the Merchandize Marks (Prosecutions) Act 1894, the Fertilisers and Feeding Stuffs Act 1906, the Agricultural Holdings (Scotland) Acts 1908 and 1910 and the Housing and Town Planning Act 1909. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|---------------------------|---|--|
| 6 & 7 Geo. 5. c. 38. | The Small Holding Colonies Act 1916. | <p>In section 1(3), the words from the beginning to "acres in all, and".</p> <p>Section 4(1)(b). 5</p> <p>Section 7.</p> <p>In section 8(1), the words from "and the expression" onwards.</p> <p>In section 9, the words from "and section" to "1843".</p> <p>In section 11(a), the words " 'arbiter' shall be substituted for 'arbitrator', 'the Agricultural Holdings (Scotland) Act, 1908' shall be substituted for 'the Agricultural Holdings Act, 1908'".</p> <p>In section 11(b), the words " Paragraph (b) of " and the words "four and sections seven and".</p> <p>Section 12(2).</p> |
| 10 & 11 Geo. 5. c. 54. | The Seeds Act 1920. | <p>In section 12(1), the words "and the Department of Agriculture and Technical Instruction for Ireland" and "and Ireland".</p> <p>In section 13, the words "or the Department of Agriculture and Technical Instruction for Ireland".</p> <p>Section 16.</p> <p>Section 2(10). 35</p> |
| 12 & 13 Geo. 5. c. 51. | The Allotments Act 1922. | Section 3(4) as it applies to England and Wales. |
| 13 & 14 Geo. 5. c. 34. | The Agricultural Credits Act 1923. | <p>Section 4.</p> <p>In section 5(a), the words "the Agricultural Credits (Scotland) Account shall be substituted for the Agricultural Credits Account".</p> <p>The Schedule.</p> |
| 16 & 17 Geo. 5. c. 52. | The Small Holdings and Allotments Act 1926. | <p>In section 17(3)(b), the words "and (6)".</p> <p>Section 22(1).</p> <p>In Schedule 1, the entries relating to section 50 of the Small Holdings and Allotments Act 1908 and to sections 16(3) and 18 of the Land Settlement (Facilities) Act 1919.</p> <p>Schedule 2. 55</p> |

Statute Law (Repeals) Bill

| Chapter | Short title | Extent of repeal |
|---------------------------|--|---|
| 18 & 19 Geo. 5. c. 19. | The Agricultural Produce (Grading and Marking) Act 1928. | In section 3, the words from "after" to "twenty-nine". |
| 5 | 21 & 22 Geo. 5. c. 41. | The Agricultural Land (Utilisation) Act 1931. |
| 10 | | Sections 8 to 10. In section 11(1), the words "small holdings or", wherever occurring. In section 11(2), the words "small holdings". In section 11(3), the words "in relation to a small holding or to land acquired for a small holding, the council of the county, and,". |
| 15 | | Section 14(5). Section 16(3). Section 17(2). |
| 20 | | In section 19, the words "of sections five, six and seven of this Act, and,". In section 23, the words "one, two, ten and". Section 24(g) and (h). Section 24(k) except the words "sections twelve and seventeen shall not apply". |
| 25 | | Section 41. Schedule 1. |
| 30 | 21 & 22 Geo. 5. c. 44. | The Small Landholders and Agricultural Holdings (Scotland) Act 1931. |
| 35 | 24 & 25 Geo. 5. c. 51. | The Milk Act 1934. |
| 40 | 1 Edw. 8 & 1 Geo. 6. c. 70. | The Agriculture Act 1937. |
| 45 | 2 & 3 Geo. 6. c. 48. | The Agriculture (Miscellaneous War Provisions) Act 1940. |
| 50 | 3 & 4 Geo. 6. c. 14. | Section 10(3). Section 17. In section 32, in the definition of "Approved supplier", the words "or basic slag". In section 38(1), in the definition of "the appropriate Minister", the words "and in relation to Northern Ireland or functions exercisable in respect thereto". Section 14. Sections 16 to 21. Section 22(1)(b). Section 22(3) and (4). Sections 23 to 26. In section 27(1)(a), the words "or basic slag". Section 30(1) and (2)(a). Section 31(1) except paragraph (d). Section 31(2), (3) and (5). In section 32(1), the words from "and sections" to "this |
| 55 | | from "and sections" to "this |

SCH. 1

Statute Law (Repeals) Bill

| SCH.1 | Chapter | Short title | Extent of repeal |
|-------|--------------------------------------|---|--|
| | 3 & 4 Geo. 6. c. 14— <i>cont.</i> | The Agriculture (Miscellaneous War Provisions) Act 1940— <i>cont.</i> | Act” and the words from “and, in” onwards. Section 32(2) to (4). Schedule 5. 5 |
| | 3 & 4 Geo. 6. c. 50. | The Agriculture (Miscellaneous War Provisions) (No. 2) Act 1940. | Section 2(1)(a). Section 2(2) to (7). Section 2(11) and (12). In section 2(13), the definition of “owner”. 10 Sections 5 to 9. In section 10(4), the words “except section six thereof”. |
| | 4 & 5 Geo. 6. c. 50. | The Agriculture (Miscellaneous Provisions) Act 1941. | Sections 4 to 6. Sections 9 and 10. 15 Section 12(2), (3), (5), (6), (7) and (9). Section 13(2). In section 15, the definitions of “the Committee”, “the 20 rules of good husbandry”, “occupation contract” and “the war period”. Schedules 1, 2 and 4. |
| | 6 & 7 Geo. 6. c. 16. | The Agriculture (Miscellaneous Provisions) Act 1943. | In section 3(2), the words 25 “section fourteen or” and the words from “or under” onwards. Sections 5 and 6. Section 10(1), (2) and (4). 30 Sections 11 to 14. Section 15(2) and (4). Section 16. In section 19(a), the words from “for any reference to 35 the National Trust” to “1935”, the words from “the expression ‘the Com- mittee’” to “owner”; and the words from “for any 40 reference to a mortgage” onwards. Section 19(c), (d)(ii) and (iv) and (e). Section 20(2). 45 |
| | 7 & 8 Geo. 6. c. 28. | The Agriculture (Miscellaneous Provisions) Act 1944. | In section 20(3), the words from “or under” onwards. In section 22, the words “twelve and thirteen” and the words from “and, in the applica- 50 tion” onwards. Schedules 1 and 2. Section 7. In section 9, the words from “except” to “lime”. 55 |

Statute Law (Repeals) Bill

| Chapter | Short title | Extent of repeal | SCH. 1 |
|-------------------------------|--|--|--------|
| 9 & 10 Geo. 6. c. 29. | The Agriculture (Artificial Insemination) Act 1946. | Sections 2 to 4. In section 6, the definitions of "Cattle insemination centre" and "Licence". | |
| 5 | | | |
| 10 & 11 Geo. 6. c. 32. | The Agriculture (Emergency Payments) Act 1947. | The whole Act. | |
| 10 & 11 Geo. 6. c. 48. | The Agriculture Act 1947. | Section 85. Section 92(3). Section 97(2). In section 103(1) and (3), the words "goods and". Section 103(2). | |
| 15 | | | |
| 11 & 12 Geo. 6. c. 45. | The Agriculture (Scotland) Act 1948. | Sections 8, 25, 58, 62 and 74. In section 75(1) and (3), the words "goods and". Section 75(2). | |
| 12, 13 & 14 Geo. 6. c. 37. | The Agriculture (Miscellaneous Provisions) Act 1949. | Sections 1 to 5. Sections 9 and 14. Section 15(1). In section 15(3), the words "any other section of". In section 16(1), the words from the beginning to "section fourteen of this Act". | |
| 20 | | | |
| 12, 13 & 14 Geo. 6. c. 75. | The Agricultural Holdings (Scotland) Act 1949. | In Schedule 8, in the entry relating to Part I of the Agriculture (Scotland) Act 1948, the words from "except section eight" to "by this Act". | |
| 25 | | | |
| 14 Geo. 6. c. 31. | The Allotments Act 1950. | Section 1(2). Section 2(2). Section 3(5). Section 12(2). Section 15(3). The Schedule. | |
| 30 | | | |
| 2 & 3 Eliz. 2. c. 39. | The Agriculture (Miscellaneous Provisions) Act 1954. | Section 13. In section 16, the words "and section twelve". Section 17(2). Schedule 3. | |
| 40 | | | |
| 2 & 3 Eliz. 2. c. 68. | The Pests Act 1954. | In section 8(1), the words "after the appointed day". Section 8(6). In section 8(7), the words from "(other" to "subsection)". Section 15(2). The Schedule. | |
| 45 | | | |
| 5 & 6 Eliz. 2. -c. 57. | The Agriculture Act 1957. | In section 8(2), the words from "after" to "sixty and" and the word "thereafter". Section 10. Section 36(1) and (4). Schedule 4. | |
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Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|--------------------------|--|---|
| 6 & 7 Eliz. 2. c. 71. | The Agriculture Act 1958. | Section 6(4) and (5). Section 10(1) and (6). Schedules 2 and 3. |
| 8 & 9 Eliz. 2. c. 22. | The Horticulture Act 1960. | In section 3, the words " or 5 (2) ", wherever occurring. Section 8(3) and (4). Sections 9 to 12. In section 13(2), the words from " (including " onwards. 10 In section 15(2)(b), the word " of ", where first occurring, and the words from " one " to " remainder ". Section 16. 15 Section 17(1). In section 17(3)(a), the words " Council of ". Section 17(3)(b). In section 17(3)(c), the words 20 " in the case of the organisation, for ". In section 18, the definitions of " the Council " and " preparation for market ". 25 Section 19. In Schedule 1, in paragraph 1, the words " the Horticultural Marketing Council or ". Schedule 2. 30 Section 11. In section 12(1), (2) and (3), the words " or section 11 ". In section 16(4), the words " column 1 of ", the words 35 from " shall not " to " such fee " and column 2 of the Table. Section 16(7). In section 16(8), the words 40 " subsection (1) or ". Section 18. Section 28. In section 29(3) and (4) the reference to section 18(1). 45 The Schedule. |
| 1963 c. 11. | The Agriculture (Miscellaneous Provisions) Act 1963. | |

PART IX

ENACTMENTS RELATING TO LAND ACQUISITION POWERS

| Chapter | Short title | Extent of repeal |
|-----------------------|-----------------------|--|
| 5 & 6 Vict. c. 94. | The Defence Act 1842. | In sections 10 and 18, as they 50 apply to Scotland, the words from " femes covert " to " 1960, or ". |

Statute Law (Repeals) Bill

| Chapter | Short title | Extent of repeal | SCH. 1 |
|--|---|--|--------|
| 55 & 56 Vict. c. 43. | The Military Lands Act 1892. | Section 9. In section 24, the words from "Provided also" onwards. | |
| 5 6 & 7 Geo. 5. c. 63. | The Defence of the Realm (Acquisition of Land) Act 1916. | Section 10(c), (d) and (f). Section 12(4). | |
| 26 Geo. 5. & 1 Edw. 8. 10 c. 44. | The Air Navigation Act 1936. | Section 26(1). Schedule 4. | |
| 2 & 3 Geo. 6. c. 75. | The Compensation (Defence) Act 1939. | In section 2(1), the words from "Provided that" onwards. In section 17(1), in the definition of "emergency powers", paragraph (b) except the word "or". | |
| 15 | | | |
| 8 & 9 Geo. 6. c. 43. | The Requisitioned Land and War Works Act 1945. | Section 21. In section 33(1), the words "otherwise than by virtue of Part II of this Act" and the words from "where the" to "period". In section 33(2), the words "otherwise than by virtue of Part II of this Act". In section 34(1), the words from the beginning to "this Act". In section 34(2), the words from "and either" to "this Act". Sections 40 to 43. Sections 45, 46 and 54. In section 60(3), the words from the beginning to "section thirty-one of that Act" and the words from "for any reference to a local education authority" to "authority". | |
| 20 | | | |
| 25 | | | |
| 30 | | | |
| 35 | | | |
| 9 & 10 Geo. 6. 40 c. 49. | The Acquisition of Land (Authorisation Procedure) Act 1946. | In section 3(1)(a), the words "or an authorisation given under section two thereof". In section 3(1)(b), the words "or authorisation". In Schedule 4, the entries relating to the following enactments, namely, sections 193, 262 and 315 of the Burgh Police (Scotland) Act 1892, the Burgh Police (Scotland) Act 1903, the Mental Deficiency and Lunacy (Scotland) Act 1913, the Education (Scotland) Act 1918, the Housing (Scotland) Act 1930, the Town and Country Plan- | |
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Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|---------------------------------------|--|---|
| 9 & 10 Geo. 6. c. 49— <i>cont.</i> | The Acquisition of Land (Authorisation Procedure) Act 1946— <i>cont.</i> | ning Act 1932, the Air Navigation Act 1936, the Fire Brigades Act 1938, the Housing (Temporary Provisions) Act 1944, the Housing (Scotland) Act 1944 and sections 26 and 27 of the Requisitioned Land and War Works Act 1945. 10 |
| 10 & 11 Geo. 6. c. 22. | The Civic Restaurants Act 1947. | Section 2(2). |
| 10 & 11 Geo. 6. c. 42. | The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947. | In section 3(1)(a), the words "or an authorisation given under section two thereof". 15 In section 3(1)(b), the words "or authorisation". |
| 11 & 12 Geo. 6. c. 17. | The Requisitioned Land and War Works Act 1948. | Sections 1 and 2. Section 3(2). Section 4(1). 20 In section 4(2), the words "otherwise than by virtue of the said Part II". Section 5. Section 9. 25 Section 10(1), (2) and (5). Section 11(1). Section 18(6). In section 20(3), the definition of "the Transitional Powers Act". 30 In the Schedule, paragraph 7. Section 23. |
| 12, 13 & 14 Geo. 6. c. 36. | The War Damage (Public Utility Undertakings, &c.) Act 1949. | Section 23. 35 |
| 12, 13 & 14 Geo. 6. c. 67. | The Civil Aviation Act 1949. | Section 68. In Schedule 1, paragraph 10. In Schedule 2, paragraph 2. In Schedule 3, paragraph 4. In Schedule 11, in paragraph 3, the words "and twenty-six". 40 Section 8(1). |
| 12, 13 & 14 Geo. 6. c. 84. | The War Damaged Sites Act 1949. | Section 8(1). |
| 1 & 2 Eliz. 2. c. 47. | The Emergency Laws (Miscellaneous Provisions) Act 1953. | In Schedule 1, paragraphs 6 and 7. 45 |
| 2 & 3 Eliz. 2. c. 72. | The Town and Country Planning Act 1954. | Section 53(3). |
| 2 & 3 Eliz. 2. c. 73. | The Town and Country Planning (Scotland) Act 1954. | Section 55(3). 50 |
| 3 & 4 Eliz. 2. c. 24. | The Requisitioned Houses and Housing (Amendment) Act 1955. | Section 2(2) and (5)(b). |
| 8 & 9 Eliz. 2. c. 61. | The Mental Health (Scotland) Act 1960. | In Schedule 4, the entry relating to the Defence Act 1842. 55 |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|---------|--|---|
| 5 | 1965 c. 56. The Compulsory Purchase Act 1965. | Section 9(6). Section 25(4). In Schedule 2, paragraph 3(2). In Schedule 3, paragraph 4(5). |

In column 3 of this Part of this Schedule any reference to an enactment includes a reference to it as applied by or under any other enactment.

PART X

10 ENACTMENTS RELATING TO THE COAL INDUSTRY

| Chapter | Short title | Extent of repeal |
|---------------------------|--|---|
| 10 & 11 Geo. 5. c. 50. | The Mining Industry Act 1920. | Schedule 2. |
| 15 | 1 Edw. 8. & 1 Geo. 6. c. 56. | The whole Act. |
| 20 | 1 & 2 Geo. 6. c. 52. | The Coal Act 1938. Section 1. Section 3(1). In section 3(2), the words "During the period between" and the words from "all coal" onwards. Section 3(3). Section 4. |
| 25 | | Section 6 except subsection (2). Sections 7 to 10. Sections 12, 13, 17(3), 18, 20 and 21. Sections 23 to 31. Sections 35 to 40. Section 42(2). |
| 30 | | In section 42(3), the words "and in the said Table" and the words from "and 'private'" onwards. Section 43(3). |
| 35 | | In section 43(4), the words "and the Fourth and Fifth Schedules to this Act". Section 45(9), (10) and (11). Sections 56 and 57. Schedules 1, 3, 4 and 5. |
| 40 | | The whole Act. |
| 5 & 6 Geo. 6 c. 19. | The Coal (Concurrent Leases) Act 1942. | |
| 45 | 6 & 7 Geo. 6. c. 38. | The Coal Act 1943. Sections 4 to 6. Sections 8 to 10. Sections 12, 13, 15 and 16. Schedules 1 and 3. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|---------------------------|---|--|
| 9 & 10 Geo. 6. c. 59. | The Coal Industry Nationalisation Act 1946. | Section 5(4). Sections 10 to 25. In section 28(1), paragraph (a). In section 38(3), paragraph (a), 5 the words from "sub- section (6)" to "and in", the words "six, seven and" and the words from "section thirty- nine" to "Fifth Schedule". 10 Section 38(5). In section 55, the words from "and subsection (7)" on- wards. Section 64(5). 15 In Schedule 3, paragraphs 7 and 13. The whole Act. |
| 14 Geo. 6. c. 23. | The Coal-Mining (Sub- sidence) Act 1950. | The whole Act. 20 |
| 14 & 15 Geo. 6. c. 41. | The Coal Industry Act 1951. | The whole Act. 20 |
| 5 & 6 Eliz. 2. c. 59. | The Coal-Mining (Sub- sidence) Act 1957. | Section 8. In section 18(2), the words from "and the" onwards. |

PART XI

25

ENACTMENTS RELATING TO PUBLIC SCHOOLS

| Chapter | Short title | Extent of repeal |
|--------------------------|---------------------------------|---|
| 31 & 32 Vict. c. 118. | The Public Schools Act 1868. | In section 5, the words from the beginning to "Special Commissioners herein-after 30 mentioned". Section 6. In section 8(2), the words from "two months" onwards. In section 8(3), the words from 35 "two months" to "Special Commissioners". In section 9, the words from "be submitted" to "ap- proved by them". 40 In section 10, the words "of the Special Commissioners and" and the words from "so that such statutes" onwards. In section 11, the words from 45 "after the expiration" to "Special Commissioners", where first occurring, and the words from "with the ex- ception" to "Special Com- 50 missioners", where last oc- curring. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Short title | Extent of repeal |
|---------------------------------------|--|---|
| 31 & 32 Vict. c. 118— <i>cont.</i> | The Public Schools Act 1868— <i>cont.</i> | Sections 14, 22 and 24. In section 26, the words from “ Provided firstly ” onwards. In section 32, the words from “ Provided firstly ” onwards. |
| 5 36 & 37 Vict. c. 62. | The Public Schools (Eton College Property) Act 1873. | The whole Act. |

10 The repeal by this Act of words in section 5 and of sections 6 and 24 of the Public Schools Act 1868 does not affect any statute or scheme which, immediately before the repeal takes effect, was in force by virtue of any of those sections.

PART XII

15 ENACTMENTS RELATING TO LEGAL AID

| Chapter | Title or short title | Extent of repeal |
|--|--|---|
| 11 Hen. 7. c. 12 (1495). | An Acte to admytt such persons as are poore to sue in forma pauperis. | The whole Act. |
| 20 56 & 57 Vict. c. 22. 7 Edw. 7. c. 51. | The Appeal (Forma Pauperis) Act 1893. The Sheriff Courts (Scotland) Act 1907. | The whole Act. Section 51. In Schedule 1, rules 152 to 169. |
| 25 12, 13 and 14 Geo. 6. c. 51. | The Legal Aid and Advice Act 1949. | In section 17(3), the words from “ and accordingly ” onwards. |

Acts of Parliament of Scotland

| | | |
|---|--|---|
| 1424 (Mar. 12) c. 24. 1587 c. 57. | Anent billis of complayntis. The Criminal Justice Act 1587. | The whole Act. In section (10), the words from “ And that all and quhatsumeuir liegis ” to the end of the section. |
| 30 | | |

PART XIII

MISCELLANEOUS ENACTMENTS

| Chapter | Title or short title | Extent of repeal |
|-----------------------------|---|---|
| 24 Hen. 8. c. 16 (1532). | An Acte licensyng the bochers of London to kyll theyr cattell within the walls of the same cytie. | The whole Act. |
| 40 6 Anne c. 11. | The Union with Scotland Act 1706. | In article VI, the words from “And that from and after ” onwards. |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal |
|-----------------------------|---|---|
| 6 Anne c. 11 —cont. | The Union with Scotland Act 1706—cont. | Article IX. In article XIX, the words from “And that all admiralty jurisdictions” to “proper to be made by the Parliament of Great Britain” and the words from “And that there be a Court of Exchequer” onwards. 5 |
| 10 Geo. 4. c. 7. | The Roman Catholic Relief Act 1829. | In section 5, the words from “and also to vote” to “such representative peers”. 10 |
| 17 & 18 Vict. c. 112. | The Literary and Scientific Institutions Act 1854. | In section 33, the words from “and the London Institution” to “Knowledge”. 15 |
| 23 & 24 Vict. c. 66. | The Medical Act 1860. | Section 1. In section 5, the words from “but this repeal” to “letters testimonial” and the words from “and the office” onwards. 20 |
| 24 & 25 Vict. c. 78 (1861). | An Act to repeal certain enactments relating to nominating and appointing the householders of Westminster to serve as annoyance jurors, and to make other provisions in lieu thereof. | The whole Act. 25 |
| 32 & 33 Vict. c. 31. | The Oyster and Mussel Fisheries Orders Confirmation Act 1869 (No. 2). | The whole Act. 30 |
| 34 & 35 Vict. c. 50. | The Bankruptcy Disqualification Act 1871. | In section 2, the words from “and further” onwards. 35 In section 4, the words from “and if a peer” to “that House”. Section 5. 40 |
| 38 & 39 Vict. c. 21. | The Public Entertainments Act 1875. | The whole Act. 40 |
| 38 & 39 Vict. c. 90. | The Employers and Workmen Act 1875. | The whole Act as it applies to Great Britain. |
| 41 & 42 Vict. c. 15. | The Customs and Inland Revenue Act 1878. | The whole Act. 45 |
| 43 & 44 Vict. c. 16. | The Merchant Seamen (Payment of Wages and Rating) Act 1880. | The whole Act as it applies to Great Britain. |
| 45 & 46 Vict. c. 72. | The Revenue, Friendly Societies and National Debt Act 1882. | Section 6. 50 |
| 46 & 47 Vict. c. 52. | The Bankruptcy Act 1883. | In section 32(1)(a), the words from “or being elected” onwards. 55 |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal |
|---------------------------------|---|---|
| 47 & 48 Vict. c. 17. | The Metropolitan Police Act 1884. | The whole Act. |
| 5 53 & 54 Vict. c. 25. | The Barracks Act 1890. | Section 10, including that section as applied by the Air Force (Application of Enactments) (No. 1) Order 1918. |
| 54 & 55 Vict. c. 13. | The Taxes (Regulation of Remuneration) Act 1891. | The whole Act. |
| 10 62 & 63 Vict. c. 7. | The Metropolis Water Act 1899. | The whole Act. |
| 2 Edw. 7. c. 13. | The Labour Bureaux (London) Act 1902. | The whole Act. |
| 15 4 Edw. 7. c. 13. | The London Electric Lighting Areas Act 1904. | The whole Act. |
| 4 Edw. 7. c. 24. | The Wireless Telegraphy Act 1904. | The whole Act. |
| 1 & 2 Geo. 5. c. 2. | The Revenue Act 1911. | The whole Act, except section 10 as that section applies to Northern Ireland. |
| 1 & 2 Geo. 5. c. 48. | The Finance Act 1911. | Section 21. Section 22(2). |
| 2 & 3 Geo. 5. c. 13. | The London Institution (Transfer) Act 1912. | The whole Act. |
| 25 6 & 7 Geo. 5. c. 31. | The Police, Factories, &c. (Miscellaneous Provisions) Act 1916. | Section 3. |
| 7 & 8 Geo. 5. c. 31. | The Finance Act 1917. | Section 35(4). |
| 30 7 & 8 Geo. 5. c. 36. | The Police Constables (Naval and Military Service) Act 1917. | The whole Act, including that Act as applied by the Air Force (Application of Enactments) (No. 2) Order 1918. |
| 35 15 & 16 Geo. 5. c. 2. | The Canals (Continuance of Charging Powers) Act 1924. | The whole Act. |
| 15 & 16 Geo. 5. c. 28. | The Administration of Justice Act 1925. | In section 28, the words "the Lord Chief Justice or the President", wherever occurring, and the words "as the case may be". Section 29(2). |
| 40 | | |
| 15 & 16 Geo. 5. c. 67. | The Wireless Telegraphy (Explanation) Act 1925. | The whole Act. |
| 45 16 & 17 Geo. 5. c. 54. | The Wireless Telegraphy (Blind Persons Facilities) Act 1926. | The whole Act. |
| 19 & 20 Geo. 5. c. 25. | The Local Government (Scotland) Act 1929. | In Schedule 1, paragraph 24 of Part I. |
| 50 20 & 21 Geo. 5. c. 7. | The Development (Loan Guarantees and Grants) Act 1929. | The whole Act. |
| 2 & 3 Geo. 6. c. 22. | The Camps Act 1939. | The whole Act as it applies to England and Wales. |
| 55 | | |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal |
|---------------------------|--|---|
| 2 & 3 Geo. 6. c. 114. | The Execution of Trusts (Emergency Provisions) Act 1939. | The whole Act. |
| 3 & 4 Geo. 6. c. 38. | The Truck Act 1940. | Section 1(1) and (3). 5 Section 2. In section 3(2), the words from "Save" to "section". |
| 3 & 4 Geo. 6. c. 41. | The Confirmation of Executors (War Service) (Scotland) Act 1940. | The whole Act. 10 |
| 4 & 5 Geo. 6. c. 7. | The Diplomatic Privileges (Extension) Act 1941. | The whole Act. |
| 4 & 5 Geo. 6. c. 12. | The War Damage Act 1941. | Section 88. 15 |
| 4 & 5 Geo. 6. c. 36. | The Financial Powers (U.S.A. Securities) Act 1941. | The whole Act. |
| 7 & 8 Geo. 6. c. 8. | The Guardianship (Refugee Children) Act 1944. | The whole Act. 20 |
| 8 & 9 Geo. 6. c. 26. | The Camps Act 1945. | The whole Act. |
| 9 & 10 Geo. 6. c. 26. | The Emergency Laws (Transitional Provisions) Act 1946. | In section 16, the words "or 25 under Regulation fifty B of the Defence (General) Regulations 1939". |
| 9 & 10 Geo. 6. c. 52. | The Trade Disputes and Trade Unions Act 1946. | In section 1, the words from "subject to" to "to this 30 Act". The Schedule. |
| 10 & 11 Geo. 6. c. 26. | The Cotton (Centralised Buying) Act 1947. | The whole Act. |
| 10 & 11 Geo. 6. c. 43. | The Local Government (Scotland) Act 1947. | Section 377(7). 35 In Schedule 9, paragraph 7. |
| 11 & 12 Geo. 6. c. 20. | The Supreme Court of Judicature (Amendment) Act 1948. | The whole Act. |
| 2 & 3 Eliz. 2. c. 24. | The Cotton Act 1954. | The whole Act. 40 |
| 2 & 3 Eliz. 2. c. 50. | The Housing (Repairs and Rents) (Scotland) Act 1954. | Sections 12, 15, 40 and 43. Section 44(2) and (3). Schedule 4. |
| 3 & 4 Eliz. 2. c. 2. | The Wireless Telegraphy (Validation of Charges) Act 1954. | The whole Act. 45 |
| 5 & 6 Eliz. 2. c. 20. | The House of Commons Disqualification Act 1957. | Section 14(1) and (2). In Part I of Schedule 1, the words "Umpire or Deputy 50 Umpire appointed for the purposes of the Old Age Pensions Act (Northern Ireland) 1936". In Part II of Schedule 1, the 55 |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal |
|---------------------------------------|--|---|
| 5 & 6 Eliz. 2. c. 20— <i>cont.</i> | The House of Commons Disqualification Act 1957— <i>cont.</i> | words "The Consumer Council", the words "The Iron and Steel Holding and Realisation Agency" and the words "The Sites Commission constituted under the Industries Development Act (Northern Ireland) 1945". |
| 5 | | |
| 10 | | In Part III of Schedule 1, in the entry beginning "Chairman or Reserve Chairman of a Local Tribunal constituted for the purposes of the National Insurance Act 1965" the words "or the National Insurance (Industrial Injuries) Act 1965", and the words "Chairman of the Post Office Users' Council". |
| 15 | | |
| 20 | | In Part II of Schedule 1 as substituted by Schedule 3 (Northern Ireland), the words "The Consumer Council", the words "The Iron and Steel Holding and Realisation Agency", the words "The Sites Commission constituted under the Industries Development Act (Northern Ireland) 1945", the words "The Transport Tribunal for Northern Ireland" and the words "The Ulster Transport Authority". |
| 25 | | In Part III of Schedule 1 as substituted by Schedule 3 (Northern Ireland), the words "Chairman of the Post Office Users' Council". |
| 30 | | Schedule 4. |
| 35 | | In Schedule 2, the entry relating to the Cotton (Centralised Buying) Act 1947. |
| 40 | The Public Records Act 1958. | In section 13(1)(a), the words "or falling to be construed as a reference to". |
| 6 & 7 Eliz. 2. c. 51. | The Industrial Injuries and Diseases (Old Cases) Act 1967. | The whole Act. |
| 1967 c. 34. | The Control of Liquid Fuel Act 1967. | Section 21(4). |
| 1967 c. 57. | The National Loans Act 1968. | In Schedule 2, in paragraph 6, the words "section 13 of". |
| 1968 c. 13. | The Courts Act 1971. | |
| 1971 c. 23. | | |

Statute Law (Repeals) Bill

SCH. 1

| Chapter | Title or short title | Extent of repeal | |
|---------------------------------------|--|---|----|
| <i>Acts of Parliament of Scotland</i> | | | |
| 1503 c. 9. | The Spuilzie Act 1503. | The whole Act. | |
| 1540 c. 22. | The Judges Act 1540. | The whole Act. | |
| 1563 c. 17. | The Notaries Act 1563. | The whole Act. | 5 |
| 1681 c. 83. | The Judicial Sale Act 1681. | The whole Act. | |
| 1690 c. 49. | The Judicial Sale Act 1690. | The whole Act. | |
| 1695 c. 8. | The Judicial Sale Act 1695. | The whole Act. | 10 |
| <i>Acts of Parliament of Ireland</i> | | | |
| 3 & 4 Phil. & Mar. c. 14 (Ir.) | The Queen Regents' Prerogative Act (Ireland) 1556. | The whole Act. | 15 |
| 2 Eliz. 1 c. 1. (Ir.) | The Act of Supremacy (Ireland) 1560. | The preamble. Sections 1, 3, 4, 6, 16 and 17. | |
| 7 Will. 3. c. 3. (Ir.) | The Settlement of Ireland Act 1695. | The whole Act. | |

Section 1(2).

SCHEDULE 2

20

AMENDMENTS OF ENACTMENTS

1878 c. 68.

The Bishopricks Act 1878

1. In section 5 of the Bishopricks Act 1878 (which among other things provides that the number of bishops who are members of the House of Lords shall not be increased by the foundation of a new bishopric in pursuance of that Act), for the words "in pursuance of this Act" there shall be substituted the words "after the year 1846".

1887 c. 46.

The Truck Amendment Act 1887

1831 c. 37.

1875 c. 90.

2.—(1) In section 2 of the Truck Amendment Act 1887 (which applies the Truck Act 1831 to workmen as defined in section 10 of the Employers and Workmen Act 1875) the words from "as defined" to "ten" and from "to whom" to "this Act" shall be omitted and at the end of the section there shall be inserted the following paragraph:—

In this section "workman" does not include a seaman or a domestic or menial servant but means any other person who, being a labourer, servant in husbandry, journeyman, artificer, handicraftsman, miner, or otherwise engaged in manual labour, whether under the age of eighteen years or above that age, has entered into or works under a contract with an employer, whether the contract be made before or after the passing of this Act, be express or implied, oral or in writing, and be a contract of service or a contract personally to execute any work or labour.

Statute Law (Repeals) Bill

SCH. 1

(2) The preceding sub-paragraph shall not extend to Northern Ireland; but nothing in the Government of Ireland Act 1920 shall preclude the Parliament of Northern Ireland from enacting provisions corresponding to that sub-paragraph. 1920 c. 67.

The House of Commons Disqualification Act 1957

1957 c. 20.

5 3. In Part III of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies offices of which the holders are disqualified under that Act), in the entry beginning "Chairman or Reserve Chairman of a Local Tribunal constituted for the purposes of the National Insurance Act 1965" the word "or" shall be inserted 10 after the words "National Insurance Act 1965".

The Horticulture Act 1960

SCH. 2

1960 c. 22.

4.—(1) In subsection (1) of section 13 of the Horticulture Act 1960 (of which sections 13 and 14 have, since the dissolution of the Horticultural Marketing Council, had effect only as applied by subsection (6) of section 15 of that Act to organisations established under that section), for the words "the Council" there shall be substituted the words "an organisation established in pursuance of section 15 of this Act (hereafter in this section and the following section referred to as a "relevant organisation")". 15

20 (2) In subsections (2) and (3) of that section and subsections (1) to (5) of section 14 of that Act, for the words "The Council" or "the Council", wherever they occur except in the last place in section 14(2), there shall be substituted the words "A relevant organisation" or as the case may be "a relevant organisation".

25 (3) For the words "the Council" where they first occur in section 14(6) of that Act there shall be substituted the words "the relevant organisation in question" and for the words "the Council" in the last place where they occur in section 14(2) and the second and third places where they occur in section 14(6) of that Act there shall be 30 substituted the words "the organisation".

(4) In section 15 of that Act, for subsection (6) there shall be substituted the following subsection:—

35 (6) An order under subsection (1) of this section shall provide for Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies bodies of which the members are disqualified under that Act) to have effect in its application to the House of Commons of the Parliament of the United Kingdom with the insertion at the appropriate place in alphabetical order of the name of the organisation established by the order.

APPENDIX 2

EXPLANATORY NOTE ON THE DRAFT BILL

Clause 1 repeals the enactments mentioned in Schedule 1 and introduces the associated amendments specified in Schedule 2.

Clause 2(1) is designed to ensure that the constitutional powers of the Parliament of Northern Ireland to legislate are unaffected by the Bill.

Clause 2(2) provides that the repeals effected by the Bill are only to have effect as part of the law of the United Kingdom, but that specified repeals may be extended by Order in Council to the Channel Islands, Isle of Man or certain colonies.

SCHEDULE 1

ENACTMENTS REPEALED

PART I

ENACTMENTS RELATING TO THE DEMISE OF THE CROWN

The enactments included in this Part of the Schedule dealt with the effect of a demise of the Crown on the holders of offices under the Crown. The necessity for the legislation arose from the inconvenient consequences of the former rule of law that on the death of the Sovereign all appointments made by the Sovereign ceased to have effect.

Section 8 of the Succession to the Crown Act 1707 avoided the immediate effects of the rule by continuing appointments to the Privy Council and to other offices under the Crown for a period of six months after a demise unless the new Sovereign otherwise directed. In the case of those holding office abroad, this period was extended to eighteen months by the Colonial Offices Act 1830. The Demise of the Crown Act 1830 afforded relief from the payment of fees for a re-appointment necessitated by a demise.

The Demise of the Crown Act 1837 adopted the principle, in relation to military commissions, that an appointment should be unaffected by a demise. The same principle was applied in relation to the Clerk of the Crown in Chancery by the Great Seal (Offices) Act 1874; in relation to the Lords of Appeal in Ordinary by the Appellate Jurisdiction Act 1874; and in relation to sheriffs in England and Wales by the Sheriffs Act 1887.

So far as the enactments included in this Part of the Schedule are not otherwise obsolete or spent, they have been superseded

by the Demise of the Crown Act 1901, which established the general principle that all offices under the Crown, wherever held, should be unaffected by a demise.

Act of Parliament of Ireland

The repeal proposed to Yelverton's Act (Ireland) 1781 is of a provision (superseded by the Demise of the Crown Act 1901) extending to Northern Ireland any previous statute of England or Great Britain relating to the continuance of an office following a demise of the Crown.

PART II

ECCLESIASTICAL ENACTMENTS RELATING TO BISHOPRICS

All the enactments included in this Part of the Schedule concern only the Church of England and the proposed repeals have been considered and agreed to by the General Synod Statute Law Committee. The chapter clerks of all 43 dioceses (and not merely the chapter clerks of the dioceses to which the enactments relate) were consulted with regard to the proposed repeals by the General Synod of the Church of England. The repeals in this Part of the Schedule are subject to the saving specified at the end of that Part.

The enactments included in this Part of the Schedule provided for the establishment of a number of bishoprics. All the bishoprics concerned have been established and the necessary funds provided and (subject to what is stated below) all the provisions now proposed for repeal are spent.

Section 5 of the Bishoprics Act 1878 (which provided for the foundation of the Bishoprics of Liverpool, Newcastle, Southwell and Wakefield and was later extended to the Bishoprics of Bristol, Southwark, Birmingham, Sheffield, Chelmsford, St. Edmundsbury and Ipswich, Bradford and Coventry)—

- (a) provides that the number of Lords Spiritual sitting and voting as Lords of Parliament shall not be increased by the creation of a new bishopric "in pursuance of this Act"; and
- (b) contains a provision as to the filling of vacancies in the number of Lords Spiritual sitting and voting as Lords of Parliament.

A provision similar to that at (a) above is contained in section 2 of the Ecclesiastical Commissioners Act 1847 (which provided for the foundation of the Bishopric of Manchester), section 7 of the Bishopric of St. Albans Act 1875, section 5 of the Bishopric of Truro Act 1876, section 7 of the Bishopric of Blackburn Measure 1923, section 7 of the Diocese of Southwell (Division)

Measure 1923 (which provided for the foundation of the Bishopric of Derby), section 9 of the Diocese of Winchester (Division) Measure 1923 (which provided for the foundation of the Bishoprics of Portsmouth and Guildford) and section 8 of the Bishopric of Leicester Measure 1925.

All these sections in the various Church of England Measures here referred to also re-enact the provision at (b) above.

The amendment made by paragraph 1 of Schedule 2 to the Bill to the first limb of section 5 of the 1878 Act will have the result that the provision that the number of Lords Spiritual sitting and voting as Lords of Parliament shall not be increased will apply to the creation of any new bishopric created after the year 1846 (see the notes on paragraph 1 of Schedule 2) and not merely to the bishoprics created in pursuance of that Act.

All the enactments (other than section 5 of the 1878 Act) specified above are proposed for repeal. So far as those enactments contain the provision referred to at (a) above they will be made unnecessary by the proposed amendment to the first limb of section 5 of the 1878 Act; and so far as those enactments re-enact the second limb of section 5 they are unnecessary.

PART III

OTHER ECCLESIASTICAL ENACTMENTS

With three exceptions all the enactments in this Part of the Schedule relate to the Church of England. The three exceptions are the Acts of 1823 and 1824 relating to the Parliamentary churches in Scotland and the Act of 1852 relating to the Bishop of Quebec.

Subject to these exceptions all the repeals proposed in this Part of the Schedule have been considered and agreed to by the General Synod Statute Law Committee.

The Act of 1562 provides for the translation into the Welsh language of the Bible and the Book of Common Prayer and that divine service shall be performed in Welsh; and section 23 of the Act of Uniformity 1662 requires the Prayer Book to be translated into Welsh and used in the Welsh speaking parts of Wales. The Church in Wales was disestablished on 31 March 1920. The Governing Body of that Church say that these enactments no longer serve any useful purpose and that they have no objection to the proposed repeals.

The repeals proposed to section 5 of the Act of Uniformity 1662 would rid the statute book of an obsolete secular sanction for an ecclesiastical offence, namely, a fine of £5 imposed on certain incumbents for failing personally to perform certain religious

services. The proposed repeal of section 11 is consequential. The words proposed for repeal in section 13 and the whole of section 22 are spent.

The repeals proposed to the two Acts of 1706 are consequential on the repeal in 1969 of the Ordination of Ministers Act 1571.

Sections 1 to 5 of the Act of 1711 are spent. These sections made provision for the raising of funds for the building of what is now the parish church of St George the Martyr in Deal which was dedicated in 1716.

The Acts of 1823 and 1824 made provision for the erection of additional churches and manses, which came to be known as Parliamentary churches and manses, in the Highlands and Islands of Scotland. The remaining provisions in these two Acts are now obsolete and have, in effect, been repealed by the Church of Scotland (Property and Endowments) Act 1925. The Church of Scotland General Trustees support these proposed repeals.

Part of the Act of 1852 relating to the Bishop of Quebec became spent on the repeal in 1888 of the relevant provisions in the British North America (Seignorial Rights) Act 1825. The residue of the Act is no longer required and the Anglican Church of Canada has agreed to its proposed repeal.

Section 44 of the Greenwich Hospital Act 1865 became spent in 1952 when the Greenwich Hospital disposed of the last of the advowsons covered by that section.

PART IV

ENACTMENTS RELATING TO BANKING

The Bank of England, the Committee of London Clearing Bankers, the Committee of Scottish Clearing Bankers 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 following group of enactments, namely, the Bank of England Act 1696 (except sections 33 and 35), the Bank of England Act 1800, the Bank Notes Act 1833, the Bank of England Act 1833 (except section 8) and section 26 of the Bank Charter Act 1844 relate to the general monopoly of banking business which was formerly enjoyed by the Bank of England and the rights of joint stock bankers to carry on business in derogation of this monopoly. The enactments are now only of historical interest, being either obsolete or unnecessary. The existing privileges of the Bank of England (in particular the exclusive right of issuing bank notes in England and Wales) do not depend on these enactments and their repeal would not affect the carrying on of commercial banking business.

Sections 33 and 35 of the Bank of England Act 1696 and the Bank of England Act 1741 (which relate to the rights and privileges of holders of Bank stock and of members of the court of directors of the Bank) and the Bank of England (Advance) Act 1816 (which increased the capital stock of the Bank) are unnecessary in consequence of the nationalisation of the Bank of England in 1946.

The repeals proposed to the following group of enactments, namely, the Bank Notes (Scotland) Act 1765, the Bills of Exchange (Scotland) Act 1772, the Bank Notes (Forgery) Act 1805 (except section 4), the Statutory Declarations Act 1835, the Bank Notes Act 1852, the Bank Notes (Ireland) Act 1864, the Newspapers, Printers and Reading Rooms Repeal Act 1869 and the Forgery Act 1913 are of references to an obsolete instrument known as a post bill or bank post bill—a type of promissory note issued by banks which was payable usually at seven days' sight. These bills were once popular as a means of reducing the risks of transmitting money through the mails but with the growth of the cheque system and the spread of branch banking the need for them fell away and they are no longer issued.

The repeal proposed to section 4 of the Bank Notes (Forgery) Act 1805 is of a provision saving the issue of bills of exchange expressed in guineas and is obsolete following the introduction of decimal currency.

Section 8 of the Bank of England Act 1833 (which relates to the transmission of accounts by the Bank of England to the Chancellor of the Exchequer) was in effect superseded by section 6 of the Bank Charter Act 1844 under which (as modified by later legislation) the Bank produce the weekly Bank return.

The repeal proposed to section 1 of the Bank Charter Act 1844 is of provisions for the operation of the Issue Department of the Bank of England which are now unnecessary, having been superseded by the powers conferred by a charter granted when the Bank was nationalised in 1946.

The statute 19 & 20 Vict. c.100 (1856) abolished a requirement (imposed by the Joint Stock Banks Act 1844) that the deed of partnership of a bank should contain a provision preventing the re-election of retiring directors. Only banks established by letters patent between 1844 and 1856 were affected by the statute of 1856 and these banks have either gone out of existence or no longer need to rely on the statute.

The repeal proposed to the Currency and Bank Notes Act 1928 is consequential on the repeal of the Bank of England Act 1819 by the National Loans Act 1968.

Section 4(2) of the Currency and Bank Notes Act 1954 and the words proposed for repeal in the National Loans Act 1968 are spent repealing enactments.

The repeals proposed to the Post Office Act 1969 are of provisions relating to trustee savings banks which were consolidated by the Trustee Savings Banks Act 1969.

Act of Parliament of Ireland

The Bank of England Act (Ireland) 1799 (which relates to the corporate status of the Bank of England in Northern Ireland) is unnecessary in view of the statutory recognition accorded to the corporate existence of the Bank throughout the United Kingdom by the Bank of England Act 1946.

PART V

CRIMINAL LAW ENACTMENTS

The Riot Act (1714), the Treason Act 1746, the Murder Act 1751, the Pillory Abolition Act 1816, the Fees for Pardons Act 1818 and the Treachery Act 1940 are obsolete, spent or unnecessary. The Acts were repealed on these grounds for England and Wales by the Criminal Law Act 1967 and for Northern Ireland (so far as they applied there) by the Criminal Law Act (Northern Ireland) 1967. It is now proposed to extend the repeals to Scotland.

The Malicious Damage Act 1812 and the Malicious Damage (Scotland) Act 1816, which have both been repealed except for Scotland, are now regarded as obsolete and are no longer used.

The Prisoners of War (Escape) Act 1812 was passed during the Napoleonic Wars with the main object of providing more effectual punishment for persons assisting the escape from this country of French officers on parole here. The Act is framed in general terms but it has outlived its usefulness. In times of peace it is inoperative and its deficiencies during a modern war-time situation are such that it had to be superseded by emergency regulations in both the 1914-1918 and the 1939-1945 wars.

Section 2 of the Treason Act 1814 empowered the Sovereign to vary the manner of executing a male offender under sentence of death for high treason by directing that he be beheaded instead of being hanged. Beheading having long since fallen into disuse as a method of execution, the section is obsolete.

The Leasing-making (Scotland) Act 1825 restricts the punishment for leasing-making (uttering calumny of the Sovereign), sedition and blasphemy and the restriction is no longer needed.

The Fraudulent Bankrupts (Scotland) Act 1827 contains provisions which are no longer necessary conferring jurisdiction on the High Court of Justiciary in cases of fraudulent bankruptcy and enabling trustees or creditors to raise a private prosecution.

The Criminal Law (Scotland) Act 1829 provided that attempted murder should be punishable by death and the Homicide Act 1957 translated the death sentence into one of life imprisonment. The 1829 Act is no longer used; the sentence of life imprisonment is competent without the provisions of the Act and in any event the abolition of the death sentence has had the effect of making the Act no longer of practical utility.

The words proposed for repeal in the Extradition Act 1873 were rendered otiose by reason of repeals made to the Extradition Act 1870 by the Theft Act 1968.

The Prevention of Violence (Temporary Provisions) Act 1939 expired on 31 December 1954.

The proposed repeal of section 14 of the Homicide Act 1957 is consequential on the proposal to repeal the Criminal Law (Scotland) Act 1829.

The Murder (Abolition of Death Penalty) Act 1965 was originally of temporary duration and section 4 provided that the Act should expire on 31 July 1970 unless Parliament by affirmative resolutions of both Houses otherwise determined. In December 1969 both Houses of Parliament resolved that the Act should not so expire and, the Act being thereby made permanent, section 4 is spent.

The provisions proposed for repeal in the Police (Scotland) Act 1967 and the Criminal Appeal Act 1968 enacted amendments to take effect in the event of the expiry of the Murder (Abolition of Death Penalty) Act 1965. The repeal of these provisions is therefore consequential on the Act of 1965 becoming permanent.

PART VI

HIGHWAY AND TRAFFIC LAW ENACTMENTS

The Bridges Act 1670 and section 50 of the Highway Act 1835 (leasing of lands held for the maintenance of bridges and highways) are no longer necessary. If there are still any properties to which the enactments relate, the necessary powers will be found in later Acts.

The Bridges (Scotland) Act 1813, which regulated the floating of timber to prevent damage to bridges, is obsolete. The practice of floating timber has fallen into disuse and if it were ever revived the Scottish law of reparation is adequate to deal with any problems of damage to bridges which might result.

The proposed repeal of section 37 of the London Hackney Carriage Act 1831 (cabs plying for hire on Sundays) is consequential on the repeal in 1969 of the Sunday Observance Acts of

1627 and 1677. Sections 43 to 45 of the 1831 Act are obsolete provisions relating to cab fares.

Sections 59 and 60 of the London Hackney Carriage Act 1831 provided penalties for the use within the metropolis of waggons, wains, carts, &c. not having the full names and places of abode of the owners painted thereon and sections 76 and 78 of the Highway Act 1835 made similar provision in relation to the use of such vehicles on any highway in England and Wales. Section 4 of the London Hackney Carriages Act 1843 provided that when the owner of a cart was a peer, it should be sufficient if only his title and place of abode were painted on the cart. Having regard to the decline in the volume of horse-drawn traffic on the roads, these provisions are no longer necessary.

The repeals proposed to sections 51 and 54 of the Metropolitan Police Act 1839 and to the Town Police Clauses Act 1847 are of unnecessary provisions for restricting the movement of carts, carriages and livestock during the hours of divine service on Sundays and certain other days.

Section 56 of the Metropolitan Police Act 1839 (use of dogs for drawing carts, &c.) has been superseded by section 9 of the Protection of Animals Act 1911; and section 59 of the 1839 Act (riding upon vehicles without consent of owners) has been superseded for practical purposes by section 30 of the Road Traffic Act 1972.

Section 32 of the London Hackney Carriages Act 1843 and section 8 of the Metropolitan Streets Act 1867 provided for the regulation of metropolitan stage carriages. By virtue of later legislation, the enactments have ceased to apply to public service vehicles other than horse-drawn vehicles, tramcars and trolley vehicles and these forms of public transport no longer exist in London.

The repeals proposed to the following group of enactments, namely, the London Hackney Carriage Act 1853, the London Hackney Carriage (No. 2) Act 1853, section 26 of the Metropolitan Streets Act 1867, the Metropolitan Public Carriage Act 1869 and the London Cab and Stage Carriage Act 1907 are of obsolete provisions relating to cab fares.

The Tramways (Scotland) Act 1861, which provided for the formation of tramways on turnpike and statute labour roads, is obsolete.

Powers otherwise available to regulate the traffic upon Westminster Bridge have made the statute 27 & 28 Vict. c.88 (1864) unnecessary.

The repeals proposed to the Trespass (Scotland) Act 1865 would remove obsolete references to turnpike and statute labour roads.

The repeal proposed to section 4 of the Metropolitan Streets Act 1867 is consequential on the repeal of sections 10 to 16 of that Act in 1963.

The repeals proposed to the Roads and Bridges (Scotland) Act 1878 are of provisions for the maintenance and management of roads and bridges which (except so far as the effect of section 88 is preserved) are spent, obsolete, superseded or no longer of practical utility.

The proposed repeal of the Roads Amendment Act 1880 is consequential on the proposed repeal of section 70 of the Roads and Bridges (Scotland) Act 1878.

The residue of the Highway Rate Assessment and Expenditure Act 1882 consists of provisions which have been expressly repealed except in their application to London and the Isles of Scilly. These provisions never had any operative effect in London and ceased to have any operative effect in the Isles of Scilly after 1 April 1891.

The proposed repeal affecting the Secretary for Scotland Act 1885 is consequential on the proposed repeal of sections 88, 90 and 121 of the Roads and Bridges (Scotland) Act 1878.

The Roads Improvement Act 1925 now applies only to Scotland and section 9(2), which relates to the jurisdiction of county courts, is unnecessary for Scotland. The other repeals proposed to this Act are of references to district committees, which were abolished in 1929.

Section 6(5) of the Trunk Roads Act 1936 (traffic signs) has been superseded by the Road Traffic Regulation Act 1967. The other repeals proposed to the 1936 Act and the repeals proposed to the Trunk Roads Act 1946 are consequential on repeals already made to these Acts.

The repeal proposed to the Road Traffic Act 1960 is consequential on the proposed repeal of section 8 of the Metropolitan Streets Act 1867.

PART VII

ENACTMENTS RELATING TO OVERSEAS TERRITORIES

The unrepealed provisions of the Act 14 Geo. 3. c.88 (1774) imposed a duty for the benefit of the Crown of £1.16. 0d sterling on licences granted for keeping a house of public entertainment or for the retailing of spirituous liquors within the Province of Quebec. These provisions are now obsolete.

The Taxation of Colonies Act 1778—a relic of the American War of Independence—removed the duty on the importation of

tea into America which had been imposed in 1766 and made a qualified renunciation of the right of the King and Parliament of Great Britain to impose taxation on colonies in North America and the West Indies. The Act is no longer of practical utility.

The Commissariat Accounts Act 1821 established machinery, now obsolete, for inquiring into the accounts of military expenditure in British colonies and foreign possessions.

The Consular Advances Act 1825 regulated the disbursements of British consuls at foreign ports for public purposes but the subsisting residue of the Act covers only the annual payment of small amounts by British consuls for the upkeep of cemeteries in Spain and Afghanistan. Payments for the maintenance of a number of other British graves and cemeteries abroad are made from the Foreign and Commonwealth Office Vote subject to Treasury authority and ultimate Parliamentary control and these is no reason why payments for the two cemeteries covered by this Act should not be dealt with on the same basis.

The West Indian Prisons Act 1838 established machinery, now obsolete, for the administration and supervision of prisons in the West Indian colonies.

The Foreign Law Ascertainment Act 1861 was designed to provide reciprocal facilities for the ascertainment of foreign law by superior courts in Her Majesty's dominions and for the ascertainment of British law by foreign courts. The Act is a dead letter, since it can only operate in relation to a foreign state with which a convention exists and no convention to implement the Act has ever been entered into.

The South Africa Offences Act 1863 provided for the punishment of offences committed by British subjects in territories adjacent to the Cape of Good Hope and Natal, being territories not within the jurisdiction of any civilised government. The Act is now obsolete.

The Colonial Letters Patent Act 1863, which made provision for the operation of letters patent in British colonies and possessions, has been made redundant by modern constitutional practice and methods of communication.

The Isle of Man Harbours Amendment Act 1864 is spent in consequence of the repeal of the Act which it amended.

The Act 28 & 29 Vict. c.28 (1865) is spent in consequence of the payment of the compensation for which it provided.

The Australian Colonies Duties Acts of 1873 and 1895, which related to the powers of the legislatures of the Australian colonies to impose customs duties prior to the imposition of uniform duties of customs by the Commonwealth Parliament, are obsolete.

The Straits Settlements Offences Act 1874, which provided for the punishment of offences committed in territories adjacent to the colony of the Straits Settlements, is obsolete.

The repeals proposed to the Pacific Islanders Protection Act 1875 are consequential on the repeal of section 2 of that Act in 1964.

The main provisions of the Canada Copyright Act 1875 enabled effect to be given to a statute of the Canadian Parliament which was repealed in 1921. The other provisions of the Act have been superseded by the Copyright Act 1956 or relate to an Order in Council which is no longer in force.

The South Africa Act 1877, which set up machinery to enable two or more colonies or states of South Africa to enter into a confederation or union under the Crown, lapsed in 1882. The union of territories envisaged by the Act was effected by the South Africa Act 1909.

Section 14 of the Foreign Jurisdiction Act 1890 is obsolete in consequence of the cesser of British jurisdiction in China and Japan and section 15 became obsolete following the lapse of British suzerainty over the Indian States. The other repeals proposed to this Act are consequential on the proposed repeal of the Foreign Law Ascertainment Act 1861 and the South Africa Offences Act 1863.

The repeals proposed to the Consular Salaries and Fees Act 1891 are consequential on the proposed repeal of the Consular Advances Act 1825.

The Regimental Debts Act 1893 originally applied to India and the repeals proposed to the Act are of obsolete references to India.

The Colonial Officers (Leave of Absence) Act 1894 is redundant, since the entitlement of colonial officers to leave is determined by local rules which do not depend on this Act for their validity.

The Gordon Memorial College at Khartoum Act 1899 conferred special powers of investment abroad on the trustees of a British fund, the main purpose of which was to found and maintain a college in the Sudan. The Gordon Memorial College has since been incorporated in the University of Khartoum and the trustees of the fund have confirmed that the powers are now unnecessary.

The Anglo-Italian Treaty (East African Territories) Act 1925, the Straits Settlements and Johore Territorial Waters (Agreement) Act 1928 and the Dindings Agreement (Approval) Act 1934 enacted the approval of Parliament to treaties for the cession of territories in East Africa and the Far East. The cessions having been completed, the Acts are spent.

The Isle of Man (War Legislation) Act 1939 expired on 18 June 1953.

The Colonial War Risks Insurance (Guarantees) Act 1941 enabled the British Government to guarantee war-time commodity insurance schemes operated by dependent territories having insufficient financial resources to carry the liability unaided. The Act is now spent.

The Malta (Reconstruction) Act 1947, which provided for a grant of £20,000,000 to Malta, is spent following the payment of the grant.

The Republic of South Africa (Temporary Provisions) Act 1961 expired on the coming into operation of the South Africa Act 1962.

PART VIII

ENACTMENTS RELATING TO AGRICULTURE

The only remaining provision in the Hop Trade Act 1800 prohibits the bagging of hops in bags exceeding a specified weight. This provision is obsolete because hops are no longer packed in bags but are pressed into bales or pockets.

Sections 4 and 6 of the Hop (Prevention of Frauds) Act 1866 contain provisions as to the marking of packages containing hops which serve no useful purpose or are superseded by provisions in the Trade Descriptions Act 1968.

Section 51 of the Small Holdings and Allotments Act 1908 is spent consequentially on the winding up of the Small Holdings and Allotments Account.

The entries in Schedule 1 to the Small Landholders (Scotland) Act 1911 proposed for repeal are spent because the enactments to which they relate have been repealed.

The effect of the words proposed for repeal in section 9 of the Small Holding Colonies Act 1916 is that the solicitor to the Ministry of Agriculture, Fisheries and Food is not required to be admitted or enrolled as a solicitor or to hold a practising certificate. He is now covered by the general provision in section 87(1) of the Solicitors Act 1957. The other repeals proposed to this Act of 1916 are of provisions which are no longer required as a consequence of earlier repeals.

The provisions in the Seeds Act 1920 proposed for repeal deal with the application of that Act to Northern Ireland where it has been repealed.

Section 2(10) of the Allotments Act 1922 contains a spent provision relating to tenancies which ended, or as respects which certain steps were taken, before the passing of the Act.

Section 3(4) of the Agricultural Credits Act 1923 was superseded in England and Wales on the coming into operation on 1 January 1925 of the Law of Property Act 1922. The other provisions in the 1923 Act proposed for repeal are no longer required as a consequence of earlier repeals.

The provisions in the Small Holdings and Allotments Act 1926 proposed for repeal are either not required in consequence of earlier repeals or are spent repealing enactments.

The words proposed for repeal in section 3 of the Agricultural Produce (Grading and Marking) Act 1928 became spent when that section came into force on 1 March 1929.

The Agricultural Land (Utilisation) Act 1931 did not extend to Northern Ireland. Certain of the provisions of that Act which have already been repealed for England and Wales are now proposed for outright repeal because they did not apply to Scotland. Section 17(2) is spent in consequence of the winding up of the Small Holdings and Allotments Account. The other provisions of the 1931 Act proposed for repeal are either no longer needed in consequence of other repeals or spent.

Section 41 of the Small Landholders and Agricultural Holdings (Scotland) Act 1931 contains a short title that is no longer needed, and the Schedule to that Act was superseded by section 2 of and Schedule 1 to the Agriculture (Scotland) Act 1948.

The Milk Act 1934 applies only to Scotland. Section 10(3), which is a saving for orders made under an earlier Act, is spent because there are no longer any orders to which it applies.

Section 17 of the Agriculture Act 1937 is spent consequentially on the repeal in 1945 of the Special Areas (Development and Improvement) Act 1934. The words proposed for repeal in section 32 of the 1937 Act are unnecessary in consequence of an earlier repeal.

The repeal proposed to the Agricultural Development Act 1939 is consequential on earlier repeals.

Most of the proposed repeals to the Agriculture (Miscellaneous War Provisions) Act 1940 and the Agriculture (Miscellaneous War Provisions) (No. 2) Act 1940 are of provisions which are spent because the period during which they were exercisable has expired or because they were dependent upon Defence Regulations which have been revoked. The remaining proposed repeals are consequential.

Most of the proposed repeals to the Agriculture (Miscellaneous Provisions) Acts of 1941, 1943 and 1944 are of provisions which have been superseded by later enactments or which were only exercisable during a period which has expired or which were dependent on Defence Regulations which have expired or

been revoked. The remaining proposed repeals are of spent repealing enactments or are consequential.

The provisions of the Agriculture (Artificial Insemination) Act 1946 proposed for repeal and the whole of the Agriculture (Emergency Payments) Act 1947 are spent because there is no longer any power to make payments thereunder.

Most of the proposed repeals to the Agriculture Act 1947 and the Agriculture (Scotland) Act 1948 are of provisions which have been superseded by a later enactment or which were only exercisable during a period which has now expired or which were dependent on Defence Regulations that have expired. The remaining proposed repeals are consequential.

Most of the proposed repeals to the Agriculture (Miscellaneous Provisions) Act 1949 are of provisions which are spent because there is no longer any power to make payments thereunder or because they are dependent on a Defence Regulation which has been revoked. The remaining proposed repeals are consequential.

The repeal proposed to the Agricultural Holdings (Scotland) Act 1949 is consequential on the proposed repeal of sections 8 and 25 of the Agriculture (Scotland) Act 1948.

The proposed repeals to the Allotments Act 1950 are of provisions which are spent because they relate to tenancies which terminated or were in process of termination before the passing of the Act or because they depended on a Defence Regulation which had expired or are spent repealing enactments.

The proposed repeals to the Agriculture (Miscellaneous Provisions) Act 1954 are of provisions which are spent because the period for which they were in force has expired or because they are repealing enactments or because they are no longer needed in consequence of other repeals.

The provisions proposed for repeal in the Pests Act 1954 became spent after the appointed day (31 July 1958) or are spent repealing enactments.

The proposed repeals to the Agriculture Act 1957 are of provisions which are spent with the effluxion of time or because they related to the now defunct Wheat Fund or because they are repealing enactments or because the regulations which they saved have been revoked.

The proposed repeals to the Agriculture Act 1958 are of provisions which are spent because there are no longer any cases to which they can apply or because they are repealing enactments.

Most of the provisions in the Horticulture Act 1960 proposed for repeal are spent in consequence of the dissolution of the

Horticultural Marketing Council on 31 March 1963. The remaining proposed repeals are consequential on other repeals.

Section 11 of the Agriculture (Miscellaneous Provisions) Act 1963 is proposed for repeal because the schemes made under it for the payment of grassland renovation grants have expired and the matter may now be dealt with by means of a farm capital grant under Part II of the Agriculture Act 1970. Section 18(1) became spent on the dissolution of the Agricultural Land Commission and the Welsh Agricultural Land Sub-Commission. The other provisions proposed for repeal are no longer needed consequentially upon other repeals or because they are spent transitional provisions or spent repealing enactments.

PART IX

ENACTMENTS RELATING TO LAND ACQUISITION POWERS

The repeal proposed to the Defence Act 1842 in its application to Scotland would remove a provision relating to persons under a legal disability which has become unnecessary.

Section 9 of the Military Lands Act 1892 is spent consequentially on the transfer of the former volunteer units to the Territorial Army in 1907 and the repeal in 1964 of the Naval Lands (Volunteers) Act 1908. The words proposed for repeal in section 24 of the 1892 Act contain a spent provision relating to land as respects which an inquiry was held in 1892.

The provisions in the Defence of the Realm (Acquisition of Land) Act 1916 proposed for repeal are obsolete either because the certificates as to certain facts they authorise Government departments to give are no longer required or consequentially on other repeals.

The provisions in the Air Navigation Act 1936 proposed for repeal confer powers in relation to the acquisition and holding, etc., of land used for civil aviation purposes. These provisions are no longer needed because the necessary powers are now conferred by the Civil Aviation Act 1949.

The provisions in the Compensation (Defence) Act 1939 proposed for repeal are obsolete either because they have ceased to have effect as respects any period after 19 February 1948 or consequentially upon another repeal.

The provisions proposed for repeal in the Requisitioned Land and War Works Acts of 1945 and 1948 are no longer needed consequentially on other repeals or because they limit the duration of certain provisions which have been made permanent or because they had effect in relation to periods or emergency powers which have expired.

The provisions proposed for repeal in the Acquisition of Land (Authorisation Procedure) Act 1946 and the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 are no longer needed consequentially on other repeals.

The provisions proposed for repeal in the Civic Restaurants Act 1947, and the War Damage (Public Utility Undertakings, &c.) Act 1949 are no longer needed in consequence of other repeals or proposed repeals.

The provisions proposed for repeal in the Civil Aviation Act 1949 are no longer needed because they are spent transitory provisions or because the period as respects which they had effect has expired or consequentially on another proposed repeal.

Section 8(1) of the War Damaged Sites Act 1949 is spent because it only had effect where the notice to treat was given before 31 December 1960.

The provisions proposed for repeal in the Emergency Laws (Miscellaneous Provisions) Act 1953 are spent because they related to a Defence Regulation which has been revoked.

The provisions proposed for repeal in the Town and Country Planning Act 1954, the Town and Country Planning (Scotland) Act 1954, the Requisitioned Houses and Housing (Amendment) Act 1955 and the Mental Health (Scotland) Act 1960 are no longer needed in consequence of other repeals or proposed repeals.

The provisions proposed for repeal in the Compulsory Purchase Act 1965 became spent when Schedule 1 to the Administration of Justice Act 1965 came into operation on 1 October 1965.

The provision at the end of this Part of the Schedule provides that in column 3 of this Part any reference to an enactment includes a reference to it as applied by or under any other enactment. This is because the following enactments have been applied by virtue of later Acts, namely, the Defence Act 1842, the Compensation (Defence) Act 1939, the Acquisition of Land (Authorisation Procedure) Act 1946, the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and the Compulsory Purchase Act 1965.

PART X

ENACTMENTS RELATING TO THE COAL INDUSTRY

All the enactments proposed for repeal in this Part of the Schedule are spent.

All that remains of Schedule 2 to the Mining Industry Act 1920 is spent consequentially on repeals already made.

The Coal (Registration of Ownership) Act 1937 was a necessary preliminary to the Coal Act 1938 under which the fee simple in all coal and mines of coal in Great Britain became vested in the (now dissolved) Coal Commission on 1 July 1942. The time imposed for registration of particulars of affected interests has passed.

Most of the provisions in the Coal Act 1938 proposed for repeal are no longer needed because of the dissolution of the Coal Commission on 1 April 1947 or because the compensation payable thereunder has all been ascertained and paid or because they are spent transitional provisions. The remaining proposed repeals are consequential.

Sections 3 and 4 of the 1938 Act became spent when in pursuance of section 3(3) all coal and mines of coal vested in the Coal Commission on 1 July 1942. But it is proposed to except from the repeals so much of section 3(2) as defines the expressions "valuation date" and "vesting date". Although spent as enactments these provisions in the 1938 Act will after their repeal continue to have effect as documents of title.

The Coal (Concurrent Leases) Act 1942 was enacted as a result of the decision in *Mitford Co Ltd v. Coal Commission* [1940] Ch. 706. The Act became spent on the vesting in the Coal Commission of the leases to which it applied.

The provisions in the Coal Act 1943 proposed for repeal are no longer needed because of the dissolution of the Coal Commission or of the Central and Regional Valuation Boards or because they are spent repealing enactments or consequentially on other repeals.

The repeals proposed to the Coal Industry Nationalisation Act 1946 are of provisions which are no longer needed because they relate to compensation which has already been ascertained and paid or to liabilities of the National Coal Board which have been extinguished, and of provisions which are spent in consequence of the dissolution of the Coal Commission or because they contain power to make regulations that are no longer needed or consequentially on other proposed repeals.

The Coal-Mining (Subsidence) Act 1950 is spent. It provided for the carrying out of repairs and the making of payments in respect of damage affecting certain dwelling-houses and caused by subsidence resulting from coal-mining operations. These matters are now covered by the Coal-Mining (Subsidence) Act 1957 which provided that the 1950 Act should not apply to any subsidence damage occurring after 31 July 1957.

The proposed repeal of the Coal Industry Act 1951 is consequential on the proposed repeal of section 12 of the 1946 Act.

Section 8 of the Coal-Mining (Subsidence) Act 1957, which made the National Coal Board liable for certain subsidence damage occurring before the passing of the Act, is spent. The repeal proposed to section 18(2) is consequential on the proposed repeal of the 1950 Act.

PART XI

ENACTMENTS RELATING TO PUBLIC SCHOOLS

The provisions proposed for repeal in the Public Schools Act 1868 and the Public Schools (Eton College Property) Act 1873 are obsolete because they conferred powers which are no longer exercisable or became spent on their exercise. The Bill saves the continued operation of instruments made under the powers conferred by sections 5, 6 and 24 of the 1868 Act.

The proposed repeals have been agreed to by the governing bodies of the schools concerned, namely, Eton, Winchester, Westminster, Charterhouse, Harrow, Rugby and Shrewsbury.

PART XII

ENACTMENTS RELATING TO LEGAL AID

The statute 11 Hen. 7. c.12 (1495) and the Appeal (Forma Pauperis) Act 1893 were prospectively repealed by section 17(3) of the Legal Aid and Advice Act 1949 (c.51). Although section 17(3) was brought into force for certain other purposes it is doubtful whether it has been brought into force for the purpose of repealing these enactments. Even if the relevant commencement orders had the effect of repealing the Acts of 1495 and 1893 for England and Wales they could not have had the effect of repealing them for Northern Ireland.

The statute 1424 c.24, the Appeal (Forma Pauperis) Act 1893 and the provisions proposed for repeal in the Criminal Justice Act 1587 and the Sheriff Courts (Scotland) Act 1907 were all prospectively repealed by section 17(3) and (5) and Schedule 8, Part I, of the Legal Aid and Solicitors (Scotland) Act 1949 (c.63). There is a doubt whether those provisions in the Act of 1949 (c.63) were brought fully into operation before they were repealed in 1967.

None of the enactments now proposed for repeal is needed in any part of the United Kingdom. The proposed repeals (other than that to the Act of 1949 (c.51) which is consequential) will remove doubts as to whether the enactments which relate respectively to England and Wales and to Scotland have already been repealed. The proposals will also repeal the enactments so far as they relate to Northern Ireland.

PART XIII

MISCELLANEOUS ENACTMENTS

The butchers concerned having constructed drains to abate the nuisance caused by their activities, the statute 24 Hen. 8. c.16 (1532) removed a prohibition on the slaughter of cattle within the walls of London. The statute of 1532 is proposed for repeal because the matter is now dealt with by the Food and Drugs Act 1955 and the Slaughterhouses Act 1958.

The repeals proposed to the Union with Scotland Act 1706 (an Act of the Parliament of England) are of obsolete provisions relating to duties on Scots cattle, land tax and Scottish courts. The corresponding provisions in the Union with England Act 1707 (an Act of the Parliament of Scotland) have already been repealed.

The repeal proposed to the Roman Catholic Relief Act 1829 is of an obsolete provision relating to the election of representative peers of Scotland and of Ireland.

The repeal proposed to the Literary and Scientific Institutions Act 1854 is of an obsolete reference to the London Institution for the Advancement of Literature and the Diffusion of Useful Knowledge which was dissolved in 1912.

The repeals proposed to the Medical Act 1860 are of provisions affecting The Royal College of Physicians of London which are agreed by the College to be obsolete or spent.

The proposed repeal of the statute 24 & 25 Vict. c.78 (1861) would get rid of obsolete provisions for the appointment of inspectors of weights and measures to prevent persons in the City of Westminster dealing by unlawful weights, balances or measures. This proposed repeal has been agreed to by the Town Clerk and Chief Executive of the City of Westminster.

The Oyster and Mussel Fisheries Orders Confirmation Act 1869 (No. 2) is spent. The company on which it conferred a right of several oyster fishery (i.e. an exclusive right to take, etc., oysters) was dissolved in 1894 and the period for which the right was granted expired in 1929.

The repeals proposed to the Bankruptcy Disqualification Act 1871 are of obsolete provisions (already repealed for England and Wales) relating to Scottish and Irish representative peers.

The Public Entertainments Act 1875 became spent when section 3 of the Disorderly Houses Act 1751 was repealed by the London Government Act 1963.

The Employers and Workmen Act 1875 is proposed for repeal so far as it applies to Great Britain. The special jurisdictions in disputes between employers and workmen conferred by the

remaining provisions of the Act on county courts and magistrates' courts respectively (or in Scotland the ordinary sheriff court and the sheriff's small debt court) are seldom, if ever, invoked. When section 113 of the Industrial Relations Act 1971 is brought into operation jurisdiction in respect of damages for breaches of contracts of employment will be conferred on industrial tribunals. The amendment proposed by the Bill, in paragraph 2 of Schedule 2, to section 2 of the Truck Amendment Act 1887 will make it unnecessary to retain the definition of "workman" in section 10 of the 1875 Act.

The Customs and Inland Revenue Act 1878 is spent because it is no longer needed as respects land tax on Serjeant's Inn.

The proposed repeal of the Merchant Seamen (Payment of Wages and Rating) Act 1880 so far as it applies to Great Britain is consequential on the proposed repeal of the Employers and Workmen Act 1875.

Section 6 of the Revenue, Friendly Societies and National Debt Act 1882, which has already been repealed for England and Wales and for Scotland, became obsolete in 1966 when gun licence duty was abolished in Northern Ireland.

The repeal proposed to the Bankruptcy Act 1883 is of an obsolete provision relating to Scottish and Irish representative peers.

The Metropolitan Police Act 1884 is spent because there are no persons still entitled to superannuation benefits thereunder.

The power conferred on the Bank of England by section 10 of the Barracks Act 1890 to advance moneys to the Treasury for the purposes of the Act is no longer needed.

The Taxes (Regulation of Remuneration) Act 1891 is obsolete because the Clerk to the Commissioners of Income Tax and Inhabited House Duties has been succeeded by the Clerk to the General Commissioners whose remuneration is provided for by the Taxes Management Act 1970.

The Metropolis Water Act 1899 is obsolete because the several metropolitan water companies to which the Act applied were dissolved and their powers and duties transferred to the Metropolitan Water Board.

The power conferred on metropolitan borough councils (now London borough councils) by the Labour Bureaux (London) Act 1902 to establish and maintain labour bureaux has not been operated for many years and with the establishment of a national system of employment exchanges is no longer needed. The London Boroughs Association and the Department of Employment agree to this proposed repeal.

The London Electric Lighting Areas Act 1904 is obsolete because the electricity supply industry is now co-ordinated under public ownership by the Electricity Act 1947.

The Wireless Telegraphy Act 1904 expired on 1 June 1954.

The residue of the Revenue Act 1911 consists (apart from section 10) of ancillary provisions which are no longer necessary. Section 10 (application of section 4 of the Game Act 1831) was repealed for Great Britain in 1970 but is still required in so far as it applies to Northern Ireland.

The provisions proposed for repeal in the Finance Act 1911 are spent in consequence of earlier repeals.

The London Institution (Transfer) Act 1912 is spent in consequence of the accomplishment of the purposes for which it was enacted and the release of their rights by the continuing members of the dissolved London Institution.

Section 3 of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916 is obsolete because no pensions are still being paid, or are likely to become payable, under that section.

Section 35(4) of the Finance Act 1917 is obsolete in consequence of an earlier repeal.

As respects some of the provisions of the Police Constables (Naval and Military Service) Act 1917 there is no longer any power to make payments thereunder and the possibility of any payments being made by virtue of the remaining provisions is so remote that it can be discounted.

The Canals (Continuance of Charging Powers) Act 1924 expired on 31 December 1937.

The proposed repeals to the Administration of Justice Act 1925 are consequential on repeals already made.

The Wireless Telegraphy (Explanation) Act 1925 and the Wireless Telegraphy (Blind Persons Facilities) Act 1926 expired on 1 June 1954.

The proposed repeals to the Local Government (Scotland) Acts of 1929 and 1947 are consequential on the proposed repeal of the Wireless Telegraphy (Blind Persons Facilities) Act 1926.

The Development (Loan Guarantees and Grants) Act 1929 is spent because the power of giving guarantees and making grants under it expired on 31 August 1932.

The Camps Act 1939 is inoperative in its application to England and Wales. No payments have been made since 1940 to the relevant recognised company which went into liquidation in 1955 and is now dissolved.

The Execution of Trusts (Emergency Provisions) Act 1939 is obsolete because the powers it confers to delegate trust functions are no longer exercisable, and the provisions which validate certain transactions are no longer needed.

The provisions proposed for repeal in the Truck Act 1940 are spent because they related only to past transactions and the enabling powers conferred on the Northern Ireland Parliament are no longer needed.

The Confirmation of Executors (War Service) (Scotland) Act 1940 and the Diplomatic Privileges (Extension) Act 1941 have expired.

Section 88 of the War Damage Act 1941 became spent when the Emergency Powers (Defence) Act 1939 expired on 24 February 1946.

The Financial Powers (U.S.A. Securities) Act 1941 is spent because the loan to which it relates has been repaid and the loan agreement is at an end.

The Guardianship (Refugee Children) Act 1944 is spent because the powers conferred by it are no longer exercisable.

The proposed repeal of the Camps Act 1945 is consequential on the proposed repeal of the Camps Act 1939.

The words proposed for repeal in the Emergency Laws (Transitional Provisions) Act 1946 are spent in consequence of the expiry on 10 December 1950 of regulation 50B of the Defence (General) Regulations 1939.

The repeals proposed to the Trade Disputes and Trade Unions Act 1946 are of spent transitional provisions.

The Cotton (Centralised Buying) Act 1947 and the Cotton Act 1954 are spent by reason of the dissolution of the Raw Cotton Commission.

The Supreme Court of Judicature (Amendment) Act 1948, which amended section 68(3) of the Supreme Court of Judicature (Consolidation) Act 1925, became spent when section 68(3) was repealed by the Criminal Appeal Act 1966.

The repeals proposed to the Housing (Repairs and Rents) (Scotland) Act 1954 are of expired or spent provisions or provisions which are no longer needed consequentially on repeals already made.

The Wireless Telegraphy (Validation of Charges) Act 1954, which validated the receipt by the Postmaster-General of licence fees paid before the passing of the Act, is spent.

The repeals proposed to the House of Commons Disqualification Act 1957 are of spent repealing enactments, spent provisions

which prevented the recovery of penalties incurred before the repeals took effect, and obsolete entries in the Schedules.

The repeal proposed to the Public Records Act 1958 is consequential on the proposed repeal of the Cotton (Centralised Buying) Act 1947.

The words proposed for repeal in the Industrial Injuries and Diseases (Old Cases) Act 1967 have never had any meaning and are a remanet from the time when the Bill for the Act was still in draft.

The Control of Liquid Fuel Act 1967 expired on 30 June 1968.

Section 21(4) of the National Loans Act 1968 contains provisions which are spent relating to certain accounts or statements for financial years previous to that ending on 31 March 1969.

The repeal proposed to the Courts Act 1971 will correct a slip in that Act.

Acts of Parliament of Scotland

The Spuilzie Act 1503 is proposed for repeal because the action for spuilzie (a civil remedy for wrongful interference with the possession of movable property) is obsolete and superseded by more modern procedures.

The Judges Act 1540, which provides for the removal of judges who fail to act impartially and for the punishment of anyone who without cause casts reflection on the character or integrity of a judge, is not needed because these matters are adequately covered by the common law.

The Notaries Act 1563 has been superseded by section 17 of the Solicitors (Scotland) Act 1933.

The Judicial Sale Acts of 1681, 1690 and 1695 brought into being the action of ranking and sale which was competent at the instance of certain creditors against debtors who were insolvent or whose estates had been sequestrated. In the modern law of bankruptcy the action has long since fallen into disuse.

Acts of Parliament of Ireland

The Queen Regent's Prerogative Act (Ireland) 1556 and the corresponding Act of the Parliament at Westminster, namely, the Queen Regents' Prerogative Act 1554, finally disposed of the contention that a woman as such was barred from the throne. There is no longer any need for these Acts and the English Act was repealed in 1969.

The Act of Supremacy (Ireland) 1560 corresponds to an Act of the Parliament at Westminster, namely, the Act of Supremacy (1558) most of which was repealed in 1969. The provisions of

the 1560 Act now proposed for repeal are spent by reason of the disestablishment of the Church of Ireland and the demise of the circumstances surrounding the Act and in consequence of repeals already made.

The Settlement of Ireland Act 1695 is no longer needed. Apart from a provision which is repeated in the Treaty of Union, the Act consists of obsolete provisions directed against the pretensions of the Dublin "Parliament" of 1689 which convened under James II's banner.

SCHEDULE 2

AMENDMENTS OF ENACTMENTS

Paragraph 1

The Bishoprics Act 1878

This amendment will substitute the words "after the year 1846" for the words "in pursuance of this Act" in section 5 of the Bishoprics Act 1878.

Beginning with the foundation of the Bishopric of Manchester in 1847 it has been enacted in the case of each new bishopric that its creation shall not have the effect of increasing the number of Lords Spiritual sitting and voting as Lords of Parliament.

The principal enactment dealing with the filling of vacancies among the Lords Spiritual who are Lords of Parliament is section 5 of the Bishoprics Act 1878.

The first limb of section 5 of the 1878 Act provides that the number of Lords Spiritual sitting and voting as Lords of Parliament shall not be increased by the creation of a new bishopric "in pursuance of this Act". The second limb contains a provision as to the filling of vacancies in the number of Lords Spiritual sitting and voting as Lords of Parliament.

The Bishoprics Act 1878 provided for the foundation of the Bishoprics of Liverpool, Newcastle, Southwell and Wakefield and was later extended to the new Bishoprics of Bristol, Southwark, Birmingham, Sheffield, Chelmsford, St Edmundsbury and Ipswich, Bradford and Coventry.

If effect is given to the proposed amendment section 5 of the 1878 Act will apply to all new bishoprics created after the year 1846. This will render unnecessary the provisions similar to those in section 5 of the 1878 Act contained in the other Acts and Measures specified in Part II of Schedule 1 to the Bill.

Paragraph 2

The Truck Amendment Act 1887

The Employers and Workmen Act 1875 which is proposed for repeal in Part XIII of Schedule 1 to the Bill is only still needed so far as section 10 defines the expression "workman" for the purposes of the Truck Acts.

Section 2 of the Truck Amendment Act 1887 provides that the provisions of the Truck Act 1831 shall apply to any workman as defined in the Employers and Workmen Act 1875.

If effect is given to the proposed amendment the Act of 1887 will contain its own definition of the expression "workman" and the whole of the 1875 Act can be repealed. Consequentially on this repeal the Merchant Seamen (Payment of Wages and Rating) Act 1880 will no longer be needed.

The enabling provision in paragraph 2(2) has been included because the Acts of 1875 and 1880 are proposed for repeal only so far as they apply to Great Britain, and merchant shipping is a reserved matter not within the legislative powers of Northern Ireland.

Paragraph 3

The House of Commons Disqualification Act 1957

If effect is given to the repeals to the House of Commons Disqualification Act 1957 specified in Part XIII of Schedule 1 to the Bill one of the entries in Part III of Schedule 1 to the 1957 Act will read—

"Chairman or Reserve Chairman of a Local Tribunal constituted for the purposes of the National Insurance Act 1965, the National Insurance Act (Northern Ireland) 1966"

Pursuant to the power contained in sections 5 and 10 of the 1957 Act, that Act is periodically reprinted as amended. For this reason it is proposed to amend the above-mentioned entry in Part III of Schedule 1 by inserting the word "or" after the words "National Insurance Act 1965".

Paragraph 4

The Horticulture Act 1960

The amendments proposed to the Horticulture Act 1960 are consequential on the dissolution in 1963 of the Horticultural Marketing Council.

Section 15(6) of the 1960 Act provides that sections 13 (miscellaneous financial powers) and 14 (reports and accounts) of that Act shall apply to an organisation established under section 15 for promoting sales of home-grown produce as they apply in relation to the Horticultural Marketing Council; and that an order under section 15(1) establishing such an organisation shall make in relation to the organisation constituted by the order the like provision as to disqualification for membership of the House of Commons as is made in relation to the Horticultural Marketing Council by section 9(5) of the Act. Section 9(5) which is spent is proposed for repeal in Part VIII of Schedule 1 to the Bill.

Paragraph 4 of Schedule 2 amends sections 13, 14 and 15(6) of the 1960 Act so that their provisions will apply directly to organisations established in pursuance of section 15 of that Act.

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