
STATUTORY INSTRUMENTS

1951 No. 1534

TITHE, ENGLAND

The Tithe Fees Rules, 1951

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

By virtue and in exercise of the powers conferred by subsection (2) of Section 7 and by subsection (4) of Section 10 of the Tithe Act, 1951, the Tithe Redemption Commission, with the approval of the Treasury, hereby make the following rules:—

1. In these Rules—
 - (a) “Commission” means the “Tithe Redemption Commission” and
 - (b) “corn rent annuity” means an annuity charged on land for the redemption of tithe rent charge or of a corn rent, rentcharge or money payment redeemed under the Tithe Acts, 1936 to 1936.
2. These Rules may be cited as The Tithe Fees Rules, 1951, and shall come into operation on the first day of September, 1951.
3. The fees set out in the Schedules to these Rules shall be payable for and in respect of the matters therein more particularly described.

In witness whereof the Tithe Redemption Commission have caused their Official Seal to be hereunto affixed this 15th day of August, 1951.

L.S.

H. G. Richardson
Secretary to the Tithe Redemption Commission

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Approved.

20th August 1951

W. A. Wilkins
H. W. Bowden
Two of the Lords Commissioners of His
Majesty's Treasury

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FIRST SCHEDULE

PART I

For copies of or extracts from documents relating to tithes or tithe rentcharges and made under the Tithe Acts 1836 to 1925, a fee (exclusive of any fee for a map) at the rate of 4d. per folio of 72 words with a minimum of 3s. 6d.

PART II

For a copy of or extract from a map forming part of or referred to in any of the documents mentioned in Part I of this Schedule, a fee calculated at the following rates per square foot, or part thereof, of the copy or extract:—

Tracing:—On linen, 10s. 6d.; on paper, 7s. 6d.

Photographic copy (where practicable):—2s.

PART III

Additional fee for the certification of the truth of any such copy or extract as is mentioned in this Schedule:—

- (1) in respect of documents other than maps, a fee of 1s. and
- (2) in respect of maps, a fee equal to one half of the fee for the supply of the copy or extract.

SECOND SCHEDULE

PART I

For the supply, without maps, of copies of or extracts from the following documents made under the Tithe Acts, 1936 and 1951.

| Document | Fee |
|--|---|
| | <i>For the first two pages of the copy or extract an inclusive and minimum fee of the amount stated below, and for each extra page an additional fee of 9d.</i> |
| | <i>s. d.</i> |
| <i>Annuities Registers</i> | 3 0 |
| <i>Documents relating to Annuities</i> | |

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| Document | Fee |
|---|---|
| | <i>For the first two pages of the copy or extract an inclusive and minimum fee of the amount stated below, and for each extra page an additional fee of 9d. s. d.</i> |
| Order for Apportionment | |
| Determination of amount | |
| Determination of amount and apportionment or extinguishment | 2 0 |
| Order for Extinguishment | |
| Order for Reduction | |
| Declaration that no annuity is charged in a district | |
| Determination of amount (where tithe rentcharge was contingent) | 2 6 |
| Determination of amount and Order for reduction or extinguishment | 3 0 |
| Determination of amount and Order for apportionment and reduction | |
| <i>Documents relating to the issue of Stock</i> | |
| Determination of the amount of stock or of the persons entitled to receive it | 2 0 |
| <i>Documents relating to Chancel Repairs</i> | |
| Record of Ascertainments where liability subsists | |
| Ascertainments that liability has ceased | 2 0 |
| Declarations that no liability exists, or to any other effect | |

PART II

For a copy of or extract from a map which formed part of or was annexed to any of the documents mentioned in Part I of this Schedule a fee is to be taken calculated at the following rates per square foot of the copy or extract:—

Tracing:—On linen, 15s.; on paper, 12s. 6d.

Photographic copy (where practicable) with the boundaries of tithe-areas super-imposed thereon in colour:—12s. 6d.

PART III

Additional fee for the certification of the truth of any such copy or extract as is mentioned in this Schedule:—

- (1) in respect of documents other than maps, a fee of 1s. and
- (2) in respect of maps, a fee equal to one half of the fee for the supply of the copy or extract.

THIRD SCHEDULE

(relating to the apportionment or the redemption of corn rent annuities)

PART I

On an order or certificate for the apportionment, without a map, of a corn rent annuity a fee calculated in accordance with the following scale:—

| <i>Where the annuity, or the aggregate of the annuities, apportioned—</i> | <i>Fee £ s. d.</i> |
|---|------------------------|
| Does not exceed £5 | 2 0 0 |
| Exceeds £5 but does not exceed £10 | 3 0 0 |
| Exceeds £10 but does not exceed £25 | 3 10 0 |
| Exceeds £25 but does not exceed £50 | 4 0 0 |
| Exceeds £50 but does not exceed £75 | 4 10 0 |
| Exceeds £75 but does not exceed £100 | 5 0 0 |
| For each further £50 or part of £50 up to £500 | 0 7 6 |
| For each further £100 or part of £100 exceeding £500 | 0 7 6 |

And additional fees as follows:—

- (i) where more annuities than one are apportioned and there is more than one annuitant, for each additional annuitant a fee equal to one-third of the fee calculated on the above scale; and
- (ii) a fee of 5s. in respect of each area beyond two on which a separate annuity is apportioned.

PART II

Where a map is desired by the Applicant or in the opinion of the Commission is necessary for an order or certificate for the apportionment of a corn rent annuity, an additional fee calculated in accordance with the following scale:—

| <i>Area to be mapped— £ s. d.</i> | <i>Fee</i> |
|--|------------|
| Does not exceed 5 acres | 2 5 0 |
| Exceeds 5 acres but does not exceed 10 acres | 2 10 0 |

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| <i>£ s. d.</i> | <i>Area to be mapped—</i> | <i>Fee</i> |
|----------------|---|------------|
| | Exceeds 10 acres but does not exceed 15 acres | 2 15 0 |
| | Exceeds 15 acres but does not exceed 20 acres | 3 0 0 |
| | For each further 20 acres or part of 20 acres | 0 7 6 |

PART III

For a certificate of the amount in consideration of which a corn rent annuity or several corn rent annuities together may be redeemed, a fee calculated in accordance with the following scale:—

| <i>£ s. d.</i> | <i>Where the annuity, or the aggregate of the annuities—</i> | <i>Fee</i> |
|----------------|--|------------|
| | Does not exceed 10s. | 1 0 0 |
| | Exceeds 10s.—for the first 10s. | 1 0 0 |
| | for each additional 10s. or fractional part of 10s. up to £5 | 0 5 0 |
| | for each £5 or fractional part thereof, above £5 | 0 5 0 |

PART IV

For a certificate of the redemption of a corn rent annuity, or of several corn rent annuities together, a fee of 5s.

PART V

For a copy of or an extract from any of the documents or maps referred to in this Schedule, and for the certification of the truth thereof, the like fees as are prescribed in the First Schedule in relation to the documents and maps referred to in that Schedule.

EXPLANATORY NOTE

These Rules prescribe the fees payable to the Tithe Redemption Commission for the supply of copies of documents made under the Tithe Acts, 1836 to 1951. They also prescribe fees for the apportionment and redemption of annuities charged on land for the redemption of tithe rentcharge, corn rents, rentcharges or money payments redeemed under the Tithe Acts, 1836 to 1925, which are private property and are distinct from redemption annuities charged in respect of land and payable to the Crown by virtue of the Tithe Act, 1936 (26 Geo. 5. & 1 Edw. 8. c. 43).