



The Law Commission
and
The Scottish Law Commission

(LAW COM. No. 70)
(SCOT. LAW COM. No. 40)

STATUTE LAW REVISION: SEVENTH REPORT

DRAFT STATUTE LAW (REPEALS) BILL

*Presented to Parliament by the
Lord High Chancellor and the Lord Advocate
by Command of Her Majesty
December 1975*

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THE LAW COMMISSION
and
THE SCOTTISH LAW COMMISSION

STATUTE LAW REVISION: SEVENTH REPORT

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

*To the Right Honourable the Lord Elwyn-Jones,
Lord High Chancellor of Great Britain, and
the Right Honourable Ronald King Murray, 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.

The repeals proposed in the draft Bill have been widely canvassed with the Government departments and other bodies concerned with them.

Signed SAMUEL COOKE, *Chairman,*
Law Commission.

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J. B. ALLAN, *Secretary.*

28 October 1975.

* The Transfer of Functions (Secretary of State and Lord Advocate) Order 1972 (S.I. 1972 No. 2002 (1972 III, p. 5957)) has removed the requirement to obtain the approval of the Secretary of State of programmes etc., of the Scottish Law Commission.

APPENDIX 1
Statute Law (Repeals) Bill

DRAFT

OF A

B I L L

TO

PROMOTE the reform of the statute law by the A.D. 1975 repeal, in accordance with recommendations of the Law Commission and the Scottish Law Commission, of certain enactments which (except in so far as their effect 5 is preserved) are no longer of practical utility, and to make other provision in connection with the repeal of those enactments.

10 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:—

1.—(1) The enactments mentioned in Schedule 1 to this Act Repeals and associated amendments. are hereby repealed to the extent specified in column 3 of that Schedule.

15 (2) The enactments mentioned in Part I of Schedule 2 to this Act shall have effect with the amendments there specified (which are consequential on or otherwise made in connection with certain of the repeals in Part II (Alcoholism) of Schedule 1 to this Act) and the enactments mentioned in Part II of Schedule 2 to this Act 20 shall have effect with the amendments there specified (which are consequential on other repeals made by this Act).

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Savings.
1924 c. 3.
1926 c. 62.

2.—(1) Notwithstanding the repeal by this Act (Schedule 1 Part XIII) of the Irish Free State Land Purchase (Loan Guarantee) Act 1924 and the East Africa Loans Act 1926—

- (a) there shall continue to be charged on and issued out of the Consolidated Fund any sums required by the Treasury for fulfilling the guarantees given under the said Acts and there shall continue to be paid into the Consolidated Fund any sums received by way of repayment of any sums so issued; and
- (b) the Treasury shall continue to be under a duty to lay before both Houses of Parliament an account of any sums issued out of the Consolidated Fund for the purpose of the guarantee given under the said Act of 1924 as soon as may be after any sum is so issued.

1959 c. 71.

(2) Notwithstanding the repeal by this Act (Schedule 1 Part XIII) of the Colonial Development and Welfare Act 1959—

- (a) any schemes under that Act in force at the commencement of this Act shall, so far as then in force (that is to say, by virtue of section 1(3) of the Overseas Development and Service Act 1965, so far as they make provision for the payment out of money provided by Parliament of pensions, allowances or other benefits in respect of injuries or diseases, or aggravation of diseases, incurred by persons engaged in activities carried on for the purposes of such schemes) continue in force; and
- (b) there shall continue to be paid into the Consolidated Fund any sums received by way of interest on, or in repayment of, any outstanding loans under that Act.

1967 c. 69.
1967 c. 76.

(3) The repeal by this Act (Schedule 1 Part XVI) of section 25 of the Civic Amenities Act 1967 and of the amendment of that section in Schedule 6 to the Road Traffic Regulation Act 1967 shall not affect the operation of the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967 or the Removal and Disposal of Vehicles (Alteration of Enactments) (Amendment) Order 1975 and accordingly sections 20, 52 and 53 of the Road Traffic Regulation Act 1967 shall continue to have effect as amended by those orders.

Extent.

3.—(1) This Act extends to Northern Ireland.

(2) 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 specified 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.

4. This Act may be cited as the Statute Law (Repeals) Act 1976.

Statute Law (Repeals) Bill

SCHEDULES

SCHEDULE 1

ENACTMENTS REPEALED

PART I

ADMINISTRATION OF JUSTICE

5

Chapter	Short title	Extent of repeal
57 Geo. 3. c. 93.	Distress (Costs) Act 1817.	Section 7.
10 3 & 4 Will. 4. c. 74.	Fines and Recoveries Act 1833.	In section 67, including that section as applied by any other Act, the words from "and in case any action of trespass" to "special matter in evidence".
15 6 & 7 Will. 4. c. 19.	Durham (County Palatine) Act 1836.	The whole Act.
33 & 34 Vict. c. 30.	Wages Attachment Abolition Act 1870.	The whole Act.
36 & 37 Vict. c. 81.	Langbaugh Coroners Act 1873.	The whole Act.
20 36 & 37 Vict. c. 88.	Slave Trade Act 1873.	In section 18, the words from "or given" onwards.
45 & 46 Vict. c. 31.	Inferior Courts Judgments Extension Act 1882.	In section 2, in the definition of "inferior courts" the words "and the Court of Bankruptcy".
25		The whole Act.
4 & 5 Geo. 5. c. 78.	Courts (Emergency Powers) Act 1914.	The whole Act.
30 6 & 7 Geo. 5. c. 13.	Courts (Emergency Powers) (Amendment) Act 1916.	The whole Act.
6 & 7 Geo. 5. c. 18.	Courts (Emergency Powers) (No. 2) Act 1916.	The whole Act.
35 18 & 19 Geo. 5. c. 26.	Administration of Justice Act 1928.	In section 20(5), the words from "A copy of" onwards. In Schedule 1, in Part I the amendments of sections 118 and 167 of the Supreme Court of Judicature (Consolidation) Act 1925.
40		The whole Act.
22 & 23 Geo. 5. c. 2.	Expiring Laws Act 1931.	The whole Act.
7 & 8 Geo. 6. c. 7.	Prize Salvage Act 1944.	Section 1(2).
45 12, 13 & 14 Geo. 6. c. 63.	Legal Aid and Solicitors (Scotland) Act 1949.	In Schedule 7, in the third column the entries relating to sections 9 and 26 to 28 of the Solicitors (Scotland) Act 1933.
50 2 & 3 Eliz. 2. c. 36.	Law Reform (Limitation of Actions, &c.) Act 1954.	Sections 5 and 7. Section 8(2) except the words "this Act extends to Great Britain only".

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SCH. 1

Chapter	Short title	Extent of repeal	
7 & 8 Eliz. 2. c. 65.	Fatal Accidents Act 1959.	Section 3(5) except the words "this Act does not extend to Scotland or Northern Ireland".	5
1963 c. 47.	Limitation Act 1963.	In the title, the words "or solatium" and the words "or section 3(2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1940".	10
1965 c. 72.	Matrimonial Causes Act 1965.	Section 16(2) except the words "this Act shall not extend to Scotland". Section 38.	15

PART II
ALCOHOLISM

Chapter	Short title	Extent of repeal	
42 & 43 Vict. c. 19.	Habitual Drunkards Act 1879.	The whole Act.	20
51 & 52 Vict. c. 19.	Inebriates Act 1888.	The whole Act.	
61 & 62 Vict. c. 60.	Inebriates Act 1898.	The whole Act except section 30 and Schedule 1. In Schedule 1, the entries relating to the Refreshment Houses (Ireland) Act 1860, the Dublin Police Act 1842 and the Licensing (Ireland) Act 1836.	25
62 & 63 Vict. c. 35.	Inebriates Act 1899.	The whole Act.	30
63 & 64 Vict. c. 28.	Inebriates Amendment (Scotland) Act 1900.	The whole Act.	
2 Edw. 7. c. 28.	Licensing Act 1902.	In section 2, in subsection (1) the words "with or without hard labour" and, in subsection (3), the words "and in section sixty of the Licensing Act 1872".	35
12, 13 & 14 Geo. 6. c. 47.	Finance Act 1949.	Section 3. In Schedule 8, paragraph 4 of Part II.	40
7 & 8 Eliz. 2. c. 72.	Mental Health Act 1959.	In Schedule 7, the entry relating to the Habitual Drunkards Act 1879.	45
8 & 9 Eliz. 2. c. 61.	Mental Health (Scotland) Act 1960.	In Schedule 4, the entry relating to the Habitual Drunkards Act 1879.	

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PART III

SCH. 1

ANIMALS

Chapter	Short title	Extent of repeal	
5	6 Edw. 7. c. 32. 1 & 2 Geo. 5. c. 27.	Dogs Act 1906. Protection of Animals Act 1911.	Sections 8(c) and 9(a). Section 17.
6 & 7 Eliz. 2. c. 43.	Horse Breeding Act 1958.	Section 17(1), (6) and (7).	
10	1963 c. 11.	Agriculture (Miscel- laneous Provisions) Act 1963.	Section 15.
15	1963 c. 43. 1964 c. 70.	Animal Boarding Estab- lishments Act 1963. Riding Establishments Act 1964.	Sections 6 and 7(2). Sections 7 and 8.
20	1967 c. 46.	Protection of Birds Act 1967.	Sections 1 and 2. In section 3, subsection (1), in subsection (2) the word "Accordingly", and sub- section (3). In section 12(3), the words from "so much" to "principal Act".
25	1973 c. 57.	Badgers Act 1973.	In section 11, in the definition of "local authority" para- graph (a), and in para- graph (b) the words "on and after 1st April 1974".

PART IV

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ARMED FORCES

Chapter	Short title	Extent of repeal	
53	Geo. 3. c. 154.	Kilmainham Hospital (Pensions Commutation) Act 1813.	The whole Act.
35	7 Geo. 4. c. 16.	Chelsea and Kilmainham Hospitals Act 1826.	Sections 4, 6, 7, 8 and 9. In section 10, the words "or Kilmainham". Section 12. In section 13, the words "or through the commissioners or governors of Kilmainham Hospital". Section 22.
40			In section 24, the words "or Kilmainham" and the words, wherever occurring, "of either of the said hospitals", "into
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Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
7 Geo. 4. c. 16 — <i>cont.</i>	Chelsea and Kilmainham Hospitals Act 1826— <i>cont.</i>	either of the said hospitals”, and “either of the said hospitals”. Section 26. 5 In section 27, the words “either” and “or Kilmainham”. Section 33.
11 Geo. 4 & 1 Will. 4. c. 41.	Army Pensions Act 1830.	The whole Act. 10
2 & 3 Vict. c. 51.	Pensions Act 1839.	The whole Act.
10 & 11 Vict. c. 4.	Chelsea Pensions (Abolition of Poundage) Act 1847.	The whole Act. 15
28 & 29 Vict. c. 73.	Naval and Marine Pay and Pensions Act 1865.	In section 4, the words “or by a person entitled to any marine half pay,” and the words “or half pay”. 20 Section 7.
28 & 29 Vict. c. 89.	Greenwich Hospital Act 1865.	In section 5, the words “half pay”. Section 8.
47 & 48 Vict. c. 44.	Naval Pensions Act 1884.	Section 3. 25
47 & 48 Vict. c. 55.	Pensions and Yeomanry Pay Act 1884.	In the title, the words “and to the pay and pensions of the Yeomanry”. In section 2(1), the words “and to the pay and pensions of the Yeomanry”; and the words from “both such pay” onwards except the word “pensions”. 30 Section 6.
61 & 62 Vict. c. 24.	Greenwich Hospital Act 1898.	The whole Act except section 1 as that section applies to Northern Ireland.
4 & 5 Geo. 5. c. 83.	Army Pensions Act 1914.	In section 1, the words in the proviso from “this section” to “and that”. 40 Section 6(2).
7 & 8 Geo. 5. c. 51.	Air Force (Constitution) Act 1917.	
14 & 15 Geo. 5. c. 15.	Auxiliary Air Force and Air Force Reserve Act 1924.	The whole Act. 45
24 & 25 Geo. 5. c. 5.	Air Force Reserve (Pilots and Observers) Act 1934.	The whole Act.
12, 13 & 14 Geo. 6. c. 96.	Auxiliary and Reserve Forces Act 1949.	Section 7. 50 In section 8, the words “or as part of the short title of the Auxiliary Air Force and Air Force Reserve Act 1924”.
14 Geo. 6. c. 33.	Air Force Reserve Act 1950.	Sections 14, 15 and 16(1). 55 Section 29.

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Chapter	Short title	Extent of repeal
14 & 15 Geo. 6. c. 23.	Reserve and Auxiliary Forces (Training) Act 1951.	The whole Act.
5 1 & 2 Eliz. 2. c. 50.	Auxiliary Forces Act 1953.	Sections 45 and 46(6).
2 & 3 Eliz. 2. c. 10.	Navy, Army and Air Force Reserves Act 1954.	The whole Act.
1966 c. 30.	Reserve Forces Act 1966.	In Schedule 1, paragraph 31.
10 1969 c. 23.	Army Reserve Act 1969.	The whole Act.

PART V

CIVIL DEFENCE

Chapter	Short title	Extent of repeal
15 1 & 2 Geo. 6. c. 6.	Air-Raid Precautions Act 1937.	The whole Act.
2 & 3 Geo. 6. c. 31.	Civil Defence Act 1939.	Parts I to IV. Part V except sections 36, 37 and 39. In section 36(2), the proviso. Part VI. Part VIII except section 62. In section 62, in subsection (1)(b) the words " (as defined in the Act of 1937) ", and subsection (5). Sections 74, 75, 81 and 82. In section 83, subsection (1), the proviso to subsection (4), and subsection (5). Sections 85 to 89. In section 90(1), the definition of " Annual value ", in the definition of " Civil defence functions " the words " the Act of 1937 or ", and the definitions of " Diminution in the annual value ", " Electricity undertakers ", " Fire authority ", " Lease ", " Owner ", and " Public air-raid shelter ". Section 91 except subsections (20), (21), (28) and (34). In section 91(20), the words from the beginning to " sixty-eight and ". In section 91(21), the words " and to section five of the Act of 1937 ", the word " re-
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SCH. 1

Chapter	Short title	Extent of repeal
2 & 3 Geo. 6. c. 31— <i>cont.</i>	Civil Defence Act 1939— <i>cont.</i>	spectively”, and the words from “and to subsection (9)” onwards. In section 91(34), the words 5 “of the Act of 1937 or”. Schedule 2.
9 & 10 Geo. 6. c. 12.	Civil Defence (Suspension of Powers) Act 1945.	The whole Act.
9 & 10 Geo. 6. c. 49.	Acquisition of Land (Authorisation Pro- cedure) Act 1946.	In Schedule 4, the entries re- 10 lating to the Air-Raid Pre- cautions Act 1937 and the Civil Defence Act 1939.
9 & 10 Eliz. 2. c. 64.	Public Health Act 1961.	In Part III of Schedule 1, the entry relating to the Civil 15 Defence Act 1939.
1963 c. 33.	London Government Act 1963.	In section 49, in subsection (1) the words “of the Civil Defence Acts 1937 and 1939 or” and the words “in the 20 said Acts of 1937 and 1939 and”, and subsections (5) and (6).
1967 c. 76.	Road Traffic Regulation Act 1967.	In Schedule 6, the entry relating to the Civil Defence Act 1939. 25
1969 c. 48.	Post Office Act 1969.	In Schedule 4, in paragraph 36(1), the words from “other than” onwards.
1970 c. 38.	Building (Scotland) Act 1970.	In Part II of Schedule 1, paragraph 3. 30
1973 c. 65.	Local Government (Scot- land) Act 1973.	In Schedule 27, the entries relating to the Air-Raid Pre- cautions Act 1937 and the Civil Defence Act 1939.

PART VI

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CUSTOMS AND EXCISE

Chapter	Short title	Extent of repeal
23 & 24 Vict. c. 90.	Game Licences Act 1860.	In section 16, the words “and Dublin”. Sections 17 and 18. 40
13 & 14 Geo. 5. c. 14.	Finance Act 1923.	In section 39(1) the words from “so far as”, where first occurring, to “excise”, where first occurring.
14 & 15 Geo. 5. c. 21.	Finance Act 1924.	In section 17, in subsection (1) 45 the words “or a gun licence”, the word “respectively” in both places, the words “and gun licences” in both places

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Chapter	Short title	Extent of repeal
5	14 & 15 Geo. 5. c. 21— <i>cont.</i>	and the words “ or licence ”, in subsection (2) the words “ and gun licences ”, and in subsection (3) the words from “ and the expression ‘ gun licence ’ ” onwards.
	Finance Act 1924— <i>cont.</i>	
10	18 & 19 Geo. 5. c. 17.	In section 35(1), the words from “ and the expression ” onwards.
	15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.	In section 237(2), the words from “ and to licences ” on- wards.
	1963 c. 25.	Section 2.
15	1970 c. 24.	In section 2(9), the words from “ for ” onwards.
	Finance Act 1963.	
	Finance Act 1970.	

PART VII

INDIA

Chapter	Short title	Extent of repeal
20	6 & 7 Vict. c. 98.	Section 4(2).
	28 & 29 Vict. c. 63.	In section 1, the words “ British India ”.
	31 & 32 Vict. c. 37.	
25	33 & 34 Vict. c. 52.	Section 5(2).
	33 & 34 Vict. c. 90.	Section 23.
30	36 & 37 Vict. c. 88.	In section 30, the words “ as respects India, mean the Governor General and ”.
	37 & 38 Vict. c. 27.	In section 2, in the definition of “ governor ”, the proviso.
35	40 & 41 Vict. c. 59.	In section 2, the words “ British India ”.
	41 & 42 Vict. c. 73.	Section 2A.
40	47 & 48 Vict. c. 31.	In section 26, the words “ and not forming part of British India ”.
	Colonial Stock Act 1877.	In section 7, the words “ as respects India, means the Governor General and ”.
45	Territorial Waters Juris- diction Act 1878.	Section 14A.
	Colonial Prisoners Re- moval Act 1884.	In section 18, the words “ and subject, as respects India, to the provisions of section four- teen A of this Act ”, and in the definition of “ British posses- sion ”, the words “ which are not part of India ”.

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SCH. 1

Chapter	Short title	Extent of repeal	
48 & 49 Vict. c. 25.	East India Unclaimed Stock Act 1885.	In section 2, the definitions of "Government director" and "Indian railway company".	5
53 & 54 Vict. c. 27.	Colonial Courts of Admiralty Act 1890.	In section 4, the words "This section shall not apply to Indian laws".	
57 & 58 Vict. c. 60.	Merchant Shipping Act 1894.	Section 368.	10
8 Edw. 7. c. 51.	Appellate Jurisdiction Act 1908.	Section 2.	
5 & 6 Geo. 5. c. 57.	Prize Courts Act 1915.	In section 4(1), the words from "as respects any prize court in India" to "its principal seat or".	15
9 & 10 Geo. 5. c. 101.	Government of India Act 1919.	The whole Act, so far as unrepealed by the Government of India Act 1935.	
10 & 11 Geo. 5. c. 75.	Official Secrets Act 1920.	In section 11(1)(a), the word "India".	20
11 & 12 Geo. 5. c. 58.	Trusts (Scotland) Act 1921.	In section 2, the definition of "East India Stock".	
17 & 18 Geo. 5. c. 40.	Indian Church Act 1927.	The whole Act.	25
19 & 20 Geo. 5. c. 8.	Appellate Jurisdiction Act 1929.	The whole Act.	
25 & 26 Geo. 5. c. 42.	Government of India Act 1935.	The whole Act.	
26 Geo. 5 & 1 Edw. 8. c. 1.	Government of India (Reprinting) Act 1935.	The whole Act.	30
26 Geo. 5 & 1 Edw. 8. c. 2.	Government of India Act 1935.	The whole Act except sections 1 and 311(4) and (5).	
1 Edw. 8 & 1 Geo. 6. c. 9.	India and Burma (Existing Laws) Act 1937.	The whole Act.	35
2 & 3 Geo. 6. c. 66.	Government of India Act (Amendment) Act 1939.	The whole Act.	
3 & 4 Geo. 6. c. 5.	India and Burma (Miscellaneous Amendments) Act 1940.	The whole Act.	40
3 & 4 Geo. 6. c. 33.	India and Burma (Emergency Provisions) Act 1940.	The whole Act.	
4 & 5 Geo. 6. c. 44.	India and Burma (Postponement of Elections) Act 1941.	The whole Act.	45
5 & 6 Geo. 6. c. 7.	India (Federal Court Judges) Act 1942.	The whole Act.	
5 & 6 Geo. 6. c. 39.	India and Burma (Temporary and Miscellaneous Provisions) Act 1942.	The whole Act.	50
7 & 8 Geo. 6. c. 14.	India (Attachment of States) Act 1944.	The whole Act.	
7 & 8 Geo. 6. c. 38.	India (Miscellaneous Provisions) Act 1944.	The whole Act.	55
8 & 9 Geo. 6. c. 7.	India (Estate Duty) Act 1945.	The whole Act.	

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SCH. 1

Chapter	Short title	Extent of repeal
9 & 10 Geo. 6. c. 2.	Indian Franchise Act 1945.	The whole Act.
5 9 & 10 Geo. 6. c. 5.	Indian Divorce Act 1945.	The whole Act.
9 & 10 Geo. 6. c. 23.	India (Proclamations of Emergency) Act 1946.	The whole Act.
9 & 10 Geo. 6. c. 39.	India (Central Government and Legislature) Act 1946.	The whole Act.
10 10 & 11 Geo. 6. c. 30.	Indian Independence Act 1947.	Sections 2 to 5. Section 6(1) to (3) and (6). Sections 8 to 12. In section 14, in subsection (2), the words from "or as applying" onwards; and subsections (3) and (4). In section 15(3), the words from "and any legal proceedings" onwards.
15		Section 16. Section 18(3) to (5). Section 19.
20		Schedules 1 and 2.
25 12, 13 & 14 Geo. 6. c. 92.	India (Consequential Provision) Act 1949.	In section 1(1), the words "and subject to the provisions of subsection (3) of this section". Section 1(3) and (4).
<i>Church Assembly Measure</i>		
30 17 & 18 Geo. 5. No. 1.	Indian Church Measure 1927.	The whole Measure.

PART VIII

LOCAL GOVERNMENT

Chapter	Title or short title	Extent of repeal
35 33 Geo. 3. c. 124 (1793).	An Act for rebuilding the Tron Church of the City of Glasgow; for opening certain streets, for removing obstructions in Trongate Street; for building a bridge over the River Clyde, opposite the Salt Market Street; for regulating the weight and measure of coals and the mode of carrying wood and timber in the streets of the said city; for enlarging the gaol or tolbooth	The whole Act.
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SCH. 1

Chapter	Title or short title	Extent of repeal
33 Geo. 3. c. 124 (1793) —cont.	there; and for selling part of the High or Calton Green, and also the Glebe belonging to the Inner High Church and Parish of Glasgow.	5
6 & 7 Will. 4. c. 87.	Liberties Act 1836.	The whole Act.
20 & 21 Vict. c. 63.	Dunbar Harbour Loan Act 1857.	The whole Act. 10
34 & 35 Vict. c. 68 (1871).	An Act to determine the boundaries of the Barony and Regality of Glasgow for the purposes of registration.	The whole Act. 15
45 & 46 Vict. c. 50.	Municipal Corporations Act 1882.	Sections 193, 225, 228, 229, 232 and 245.
52 & 53 Vict. c. 50.	Local Government (Scotland) Act 1889.	The whole Act. 20
56 & 57 Vict. c. 73.	Local Government Act 1894.	Section 25(7).
8 Edw. 7. c. 62.	Local Government (Scotland) Act 1908.	Sections 29 to 31.
19 & 20 Geo. 5. c. 17.	Local Government Act 1929.	Sections 57(4), 85 and 127. 25 In section 134, the definition of "Classified road".
10 & 11 Geo. 6. c. 43.	Local Government (Scotland) Act 1947.	Section 377(6). 30 In section 379(1), the definitions of "alteration of area", "classified road", "delegate", "ecclesiastical charity", "educational endowment", "educational establishment", "General Board of Control", "grant-aided school", "grants under Part III of the Local Government (Scotland) Act, 1929", "gross annual valuation", "landward area", "large burgh", "local government elector" or "elector", "magistrates", "property", "public body", "Public Health Acts", "refer", "Registration of Births, Deaths and Marriages Acts", "Roads and Bridges Acts", "senior bailie", "small burgh" and "statutory undertakers". 35 40 45 50
11 & 12 Geo. 6. c. 26.	Local Government Act 1948.	Section 68.
1 & 2 Eliz. 2. c. 26.	Local Government (Miscellaneous Provisions) Act 1953.	Sections 15 to 17. 55 Section 19(3) from the beginning to the words "as aforesaid".

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SCH. 1

Chapter	Title or short title	Extent of repeal
2 & 3 Eliz. 2. c. 13.	Local Government (Financial Provisions) (Scotland) Act 1954.	The whole Act.
5 4 & 5 Eliz. 2. c. 36.	Local Authorities (Expenses) Act 1956.	The whole Act.
6 & 7 Eliz. 2. c. 64.	Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958.	Sections 10 and 11. In section 21(1), the definitions of the expressions " Act of 1954 " and " relevant expenditure ".
10		Section 22.
15		In Schedule 4, paragraphs 1, 2, 7 to 12, 13(1) and (2), 14, 15, 16(1), 17 and 24.
7 & 8 Eliz. 2. c. 62.	New Towns Act 1959.	Schedules 5 and 6. Sections 9(1) and 10.
9 & 10 Eliz. 2. c. 43.	Public Authorities (Allowances) Act 1961.	The whole Act.
10 & 11 Eliz. 2. c. 36.	Local Authorities (Historic Buildings) Act 1962.	Section 3.
1963 c. 46.	Local Government (Financial Provisions) Act 1963.	In section 5, the words " including an enactment contained in this Act ".
25		Section 13.
30		In section 14(1), the words from " (except sections " to " thereof " and the words " (except as aforesaid) ".
1965 c. 27.	Lost Property (Scotland) Act 1965.	In section 15(1), the definition of " the Act of 1948 ".
35		The whole Act as from 1st January 1980.
1966 c. 42.	Local Government Act 1966.	In Schedule 5, paragraphs 4 and 8.
1966 c. 51.	Local Government (Scotland) Act 1966.	Section 1.
40 1967 c. 18.	Local Government (Termination of Reviews) Act 1967.	The whole Act.

PART IX
LONDON

Chapter	Title or short title	Extent of repeal
7 Geo. 3. c. 23 (1766).	An Act to prevent frauds and abuses in the ad-measurement of coals, sold by wharf measure, within the City of London, and the liberties thereof; and between Tower Dock and Limehouse Hole in the county of Middlesex.	The whole Act.
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Statute Law (Repeals) Bill

SCH. 1

Chapter	Title or short title	Extent of repeal
10 Geo. 3. c. 53 (1770).	An Act to repeal an Act passed in the 31st year of the reign of His late Majesty King <i>George the Second</i> , intituled, <i>An Act for the relief of coal-heavers working upon the River Thames; and for enabling them to make provision for such of themselves as shall be sick, lame or past their labour, and for their widows and orphans</i> ; and to regulate the price of their labour; to prevent fraud and impositions on such labourers; and for their further relief.	The whole Act. 5 10 15 20
17 Geo. 3. c. 13 (1776).	An Act for continuing for a limited time [the Act 7 Geo. 3. c. 23].	The whole Act.
26 Geo. 3. c. 83 (1786).	An Act to explain and amend [the Act 7 Geo. 3. c. 23].	The whole Act. 25
29 & 30 Vict. c. 31.	Superannuation (Metropolis) Act 1866.	The whole Act.
41 & 42 Vict. c. 14.	Baths and Washhouses Act 1878.	The whole Act.
52 & 53 Vict. c. 17.	London Coal Duties Abolition Act 1889.	The whole Act. 30
2 Edw. 7. c. 41.	Metropolis Water Act 1902.	Section 24(4). In section 47(8), the words from "or of any" to "by 35 this Act,".
25 & 26 Geo. 5. c. lxxxiv.	Metropolitan Water Board Act 1935.	In section 66, in subsection (1) the definition of "the Act of 1866", in subsection (2)(a) the words "Notwithstanding 40 anything contained in the Act of 1866 as applied to the Board by the Act of 1902", and in subsection (4) the words "in the Act of 1866 45 as applied to the Board by the Act of 1902 or".
1963 c. 33.	London Government Act 1963.	Sections 64, 65, 78(4) and (5). In section 89(1), the definition of "county review area". 50
1970 c. 57.	Town and Country Planning Regulations (London) (Indemnity) Act 1970.	The whole Act.

Statute Law (Repeals) Bill

PART X

SCH. 1

MEDICINE

Chapter	Short title	Extent of repeal
5	55 Geo. 3. c. 194.	Apothecaries Act 1815. Section 5. In section 8, the words " or by the five apothecaries hereinafter mentioned, or the major part of them present". In section 9, the words from " and such court", where secondly occurring, onwards. In section 17, the words " or by five apothecaries so to be appointed as hereinafter is mentioned" and " or from the said five apothecaries". Sections 18, 20 and 21. In section 22, the words " or the said five apothecaries so to be appointed for any county or counties as aforesaid" and " or to and for the said five apothecaries in any county or counties as aforesaid". Sections 25, 26 and 27. In section 6, the words from " and an annual return" onwards.
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25	2 & 3 Will. 4. c. 75.	Anatomy Act 1832. Section 5.
30	37 & 38 Vict. c. 34.	Apothecaries Act Amendment Act 1874.
35	38 & 39 Vict. c. 43.	Medical Act (Royal College of Surgeons of England) 1875. In section 1, the first proviso and in the second proviso the word " also". Section 2. The whole Act.
40	39 & 40 Vict. c. 41.	Medical Act 1876.
	49 & 50 Vict. c. 48.	Medical Act 1886.
	14 & 15 Geo. 6. c. 39.	Common Informers Act 1951. In the Schedule, the entry relating to the Apothecaries Act 1815.

PART XI

MONEY

Chapter	Short title	Extent of repeal
45	5 & 6 Will. & Mar. c. 20.	Bank of England Act 1694. Section 28.

Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
9 Geo. 4. c. 24.	Bills of Exchange (Ireland) Act 1828.	Sections 15 and 16.
17 & 18 Vict. c. 90.	Usury Laws Repeal Act 1854.	The whole Act.
36 & 37 Vict. c. 57.	Consolidated Fund (Permanent Charges Redemption) Act 1873.	In section 7, in the definition of "limited owner", the words "a married woman entitled in her own right".
9 & 10 Geo. 6. c. 27.	Bank of England Act 1946.	In section 5(b), the words from "not being" onwards. In Schedule 2, the proviso to paragraph 2, and paragraph 7.
4 & 5 Eliz. 2. c. 6.	Miscellaneous Financial Provisions Act 1955.	Section 1(2).
1964 c. 9.	Public Works Loans Act 1964.	Section 8.
1969 c. 43.	Air Corporations Act 1969.	In section 1(1), paragraph (a). In Schedule 1, Part I.

PART XII

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OBSOLETE COUNCILS IN ENGLAND AND WALES

Chapter	Short title	Extent of repeal
13 & 14 Geo. 5. c. 18.	War Memorials (Local Authorities' Powers) Act 1923.	In section 4, the words "county borough, metropolitan" and the words "or other borough, or of an urban".
1 Edw. 8 & 1 Geo. 6. c. 46.	Physical Training and Recreation Act 1937.	In section 9, the words "county borough, metropolitan" and the word "county" in the expression "county district".
1 Edw. 8 & 1 Geo. 6. c. 70.	Agriculture Act 1937.	In section 32, in the definition of "Local authority" the words "metropolitan" and "county borough" and the word "county" in the expression "county district".
2 & 3 Geo. 6. c. 73.	Housing (Emergency Powers) Act 1939.	In section 3(1A), the words "county boroughs and county" and "metropolitan".
4 & 5 Geo. 6. c. 41.	Landlord and Tenant (War Damage) (Amendment) Act 1941.	In section 1(10), in the definition of "local authority", the words "metropolitan" and "the council of a county borough" and the word "county" in the expression "county district".

Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
5	5 & 6 Geo. 6. c. 9.	Restoration of Pre-War Trade Practices Act 1942.
5	8 & 9 Geo. 6. c. 43.	Requisitioned Land and War Works Act 1945.
10	12, 13 & 14 Geo. 6. c. 84.	War Damaged Sites Act 1949.
15	1 & 2 Eliz. 2. c. 26.	Local Government (Miscellaneous Provisions) Act 1953.
20	1 & 2 Eliz. 2. c. 37.	Registration Service Act 1953.
25	3 & 4 Eliz. 2. c. 18.	Army Act 1955.
30	3 & 4 Eliz. 2. c. 19.	Air Force Act 1955.
30	6 & 7 Eliz. 2. c. 34.	Litter Act 1958.
35	7 & 8 Eliz. 2. c. 53.	Town and Country Planning Act 1959.
40	10 & 11 Eliz. 2. c. 36.	Local Authorities (Historic Buildings) Act 1962.
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In section 11(1), in the definition of "local authority", the words "county borough, county" and "metropolitan".

In section 59(1), in the definition of "local authority" the words "county borough, metropolitan" and the word "county" in the expression "county district".

In section 17(1), in the definition of "local authority", the words "metropolitan borough, county" and the word "county" in the expression "county district".

In section 18(1), the words "county borough, metropolitan" and the word "county" in the expression "county district".

In section 21(2)(b), the word "metropolitan".

In section 163, the words "county borough, county" and "metropolitan".

In section 163, the words "county borough, county" and "metropolitan".

In section 1(2), the words "county borough, metropolitan", and the words "non-county borough, urban district, rural".

In section 27, in subsection (3)(a), the words "county borough" and "metropolitan" and in subsection (3)(b) the word "county" in both places.

In section 1(4), the words "county borough, metropolitan" and the word "county" in the expression "county district".

Statute Law (Repeals) Bill

SCH. 1

PART XIII
OVERSEAS FINANCIAL AID

Chapter	Short title	Extent of repeal	
12 & 13 Geo. 5. c. 13.	Empire Settlement Act 1922.	The whole Act.	5
15 & 16 Geo. 5. c. 3.	Irish Free State Land Purchase (Loan Guarantee) Act 1924.	The whole Act.	
16 & 17 Geo. 5. c. 62.	East Africa Loans Act 1926.	The whole Act.	10
20 & 21 Geo. 5. c. 5.	Colonial Development Act 1929.	Section 4.	
21 & 22 Geo. 5. c. 21.	East Africa Loans (Amendment) Act 1931.	The whole Act.	
22 & 23 Geo. 5. c. 17.	Tanganyika and British Honduras Loans Act 1932.	The whole Act.	15
1 Edw. 8 & 1 Geo. 6. c. 18.	Empire Settlement Act 1937.	The whole Act.	
5 & 6 Eliz. 2. c. 6.	Ghana Independence Act 1957.	Section 3.	20
5 & 6 Eliz. 2. c. 54.	Tanganyika Agricultural Corporation Act 1957.	The whole Act.	
5 & 6 Eliz. 2. c. 60.	Federation of Malaya Independence Act 1957.	Section 2(1)(c).	
7 & 8 Eliz. 2. c. 71.	Colonial Development and Welfare Act 1959.	The whole Act.	25
10 & 11 Eliz. 2. c. 1.	Tanganyika Independence Act 1961.	Section 4.	
1963 c. 40.	Commonwealth Development Act 1963.	Section 2. Section 3 (3).	30
1963 c. 54.	Kenya Independence Act 1963.	Section 5.	
1963 c. 55.	Zanzibar Act 1963.	In Schedule 1, paragraph 14.	
1964 c. 65.	Zambia Independence Act 1964.	In Schedule 1, paragraph 12.	35
1965 c. 38.	Overseas Development and Service Act 1965.	Section 1. Section 3(2).	
1966 c. 21.	Overseas Aid Act 1966.	Section 1(3) to (5). Section 5.	
1966 c. 23.	Botswana Independence Act 1966.	In the Schedule, paragraph 11.	40
1966 c. 24.	Lesotho Independence Act 1966.	In the Schedule, in paragraph 12, the words "the Colonial Development and Welfare Act 1959".	
1967 c. 31.	Commonwealth Settlement Act 1967.	The whole Act.	45
1968 c. 13.	National Loans Act 1968.	In section 10(3), the words from "loans" to "or of".	
1968 c. 56.	Swaziland Independence Act 1968.	In the Schedule, paragraph 12.	50
1970 c. 22.	Tonga Act 1970.	In the Schedule, paragraph 10.	
1975 c. 26.	Ministers of the Crown Act 1975.	In Schedule 2, the entries relating to the Colonial Development and Welfare Act 1959 and the Commonwealth Development Act 1963.	55

Statute Law (Repeals) Bill

SCH. 1

PART XIV
OVERSEAS TERRITORIES

Chapter	Short title	Extent of repeal
5	5 Geo. 3. c. 26. Isle of Man Purchase Act-1765.	The whole Act.
59	Geo. 3. c. 38. North American Fisheries Act 1819.	The whole Act.
6 & 7	Vict. c. 22. The (Colonies) Evidence Act 1843.	The whole Act.
10	16 & 17 Vict. c. 48. Coinage (Colonial Offences) Act 1853.	The whole Act.
35 & 36	Vict. c. 45. Treaty of Washington Act 1872.	The whole Act.
40 & 41	Vict. c. 23. Colonial Fortifications Act 1877.	The whole Act.
15	47 & 48 Vict. c. 31. Colonial Prisoners Removal Act 1884.	Section 17.
4	Edw. 7. c. 33. Anglo-French Convention Act 1904.	The whole Act.
20	9 Edw. 7. c. 9. South Africa Act 1909.	The whole Act.
9	Edw. 7. c. 18. Naval Establishments in British Possessions Act 1909.	The whole Act.
11 & 12	Geo. 6. c. 27. Palestine Act 1948.	In Schedule 2, paragraph 3.
25	14 & 15 Geo. 6. c. 39. Common Informers Act 1951.	In the Schedule, the entry relating to the North American Fisheries Act 1819.
1 & 2	Eliz. 2. c. 30. Rhodesia and Nyasaland Federation Act 1953.	The whole Act.
30	3 & 4 Eliz. 2. c. 5. Cocos Islands Act 1955.	The whole Act.
6 & 7	Eliz. 2. c. 10. British Nationality Act 1958.	Section 1.
35	6 & 7 Eliz. 2. c. 25. Christmas Island Act 1958.	The whole Act.
10 & 11	Eliz. 2. c. 23. South Africa Act 1962.	In Schedule 3, paragraph 1.

PART XV

PROPERTY

Chapter	Short title	Extent of repeal
17 & 18	Vict. c. 112. Literary and Scientific Institutions Act 1854.	The following provisions as they apply to Great Britain— In section 1, the words “ of and ” where they first occur, the words “ manor or ” in both places, the words “ of freehold, copyhold, or customary tenure ” and the words “ or enfranchise ”.
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Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
17 & 18 Vict. c. 112— <i>cont.</i>	Literary and Scientific Institutions Act 1854 <i>—cont.</i>	In section 2, the words “or enfranchise” and “or enfranchised”. In section 3, the words 5 “or enfranchise”. In section 5, the words “manor or”. In section 6, the words “or enfranchise”. 10 In section 13, the words “ <i>[add if necessary, en- franchise]</i> ” and the words from “And no bargain and sale” onwards. 15
18 & 19 Vict. c. 117.	Ordnance Board Transfer Act 1855.	The following provisions as they apply to Great Britain— In section 2, including that section as applied by any other Act, the words 20 from “nevertheless” on- wards. In section 4, the words “feoffees or”, the words from “tenants for life” 25 to “curators”, and the word “surrender”.
20 & 21 Vict. c. 26.	Registration of Long Leases (Scotland) Act 1857.	In section 15, the words “and being subscribed by the keeper of the register”. 30
23 & 24 Vict. c. 112.	Defence Act 1860.	The following provisions as they apply to Great Britain— In section 11, the words “feoffees or”, the words from “tenants for life” 35 to “committees, and”, and the words from “femes covert” to “idiots, or”.
28 & 29 Vict. c. 89.	Greenwich Hospital Act 1865.	Section 43, as it applies to 40 Northern Ireland. Section 45.
38 & 39 Vict. c. 25.	Public Stores Act 1875.	Section 17.
61 & 62 Vict. c. 24.	Greenwich Hospital Act 1898.	Section 1, as it applies to 45 Northern Ireland.
15 & 16 Geo. 5. c. 33.	Church of Scotland (Prop- erty and Endowments) Act 1925.	Sections 3 to 6. Section 10. Schedules 3 and 4.
2 & 3 Eliz. 2. c. 56.	Landlord and Tenant Act 1954.	In Schedule 9, paragraphs 1, 50 2, 7, 9 and 10.
5 & 6 Eliz. 2. c. 61.	Winfrith Heath Act 1957.	The whole Act.
1967 c. 88.	Leasehold Reform Act 1967.	Section 39(3). 55
1969 c. 62.	Rent (Control of In- creases) Act 1969.	The whole Act.

Statute Law (Repeals) Bill

PART XVI

SCH. 1

ROAD TRAFFIC: CIVIC AMENITIES

Chapter	Short title	Extent of repeal
1967 c. 69.	Civic Amenities Act 1967.	Section 25.
5 1967 c. 76.	Road Traffic Regulation Act 1967.	In Schedule 6, the amendment of section 25 of the Civic Amenities Act 1967.
1968 c. 73.	Transport Act 1968.	In Schedule 14, in Part VI, paragraphs 14, 25 and 26.
10 1973 c. 65.	Local Government (Scotland) Act 1973.	In Schedule 14, paragraph 68.

PART XVII

ROAD TRAFFIC: GENERAL

Chapter	Short title	Extent of repeal
15 1 & 2 Will. 4. c. 22.	London Hackney Carriage Act 1831.	In section 4, the proviso. Section 18. In section 27, the words from "and for want of sufficient distress" onwards. In section 28, the words from "and for want of sufficient distress" to "justice shall direct". In section 35, the words "and having thereon any of the numbered plates required by this Act to be fixed on hackney carriages". In section 36, the words from "and in default" onwards. In section 41, the words from "and upon the refusal" onwards. In section 51, the words from "shall stand or ply" to "hackney carriage; or if any such proprietor or driver", and the words "or other person". In section 56, the words from "and in default of payment" to "house of correction". In section 57, the words from "and in default of payment" onwards. Sections 62, 63, 68, 70 and 71.
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Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
6 & 7 Vict. c. 86.	London Hackney Carriages Act 1843.	<p>In section 2, the definitions of "metropolitan stage carriage", "conductor", and "passenger"; and in the definition of "proprietor", the words "or any metropolitan stage carriage", wherever occurring. 5</p> <p>Section 7. 10</p> <p>In section 8, the words "or as driver or as conductor of metropolitan stage carriages (as the case may be)"; the words from "respectively" to "sixteen years of age"; and the words "or conductor" and "conductor", wherever occurring. 15</p> <p>In section 10, the words from the beginning to "and also"; the words "or as driver or as conductor of any metropolitan stage carriage"; and the words "or conductor", wherever occurring. 20 25</p> <p>Section 15.</p> <p>In section 17, the word "conductor", wherever occurring.</p> <p>In section 20, the words "or for the driver or the conductor of a metropolitan stage carriage"; and the words from "such imprisonment" to "as the court shall think fit". 30 35</p> <p>In section 21, the words "and of every metropolitan stage carriage"; the words "or of a metropolitan stage carriage"; and the words "or conductor", wherever occurring. 40</p> <p>In section 22, the words "or metropolitan stage carriage"; and the words "or conductor", wherever occurring. 45</p> <p>In section 23, the words "or conductor", wherever occurring; and the words "or metropolitan stage carriage". 50</p> <p>In section 24, the words "or conductor", wherever occurring; and the words from "and payment" to "by such justice". 55</p> <p>In section 25, the word "conductor", wherever occurring.</p>

Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
6 & 7 Vict. c. 86— <i>cont.</i>	London Hackney Carriages Act 1843— <i>cont.</i>	In section 27, the words (wherever occurring) “or conductor”, “or as conductor” and “or as a conductor”; the words “or as driver or conductor of any metropolitan stage carriage”; and the words “or as driver or conductor of such metropolitan stage carriage”.
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10		In section 28, the words “or driver or conductor of a metropolitan stage carriage”; the word “conductor”; the words “with or without hard labour, as the justice shall direct”; the words “or metropolitan stage carriage”; and the words “or conductor”, wherever occurring.
15		Section 30.
20		In section 33, the words from “and also” to “place provided for him”; and the words from “and every driver or conductor” (where last occurring) to “upon such carriage”.
25		In section 35, the words “or the driver or the conductor of any metropolitan stage carriage”; and the words “or conductor” and “and conductor”, wherever occurring.
30		Sections 36 and 37.
35		In section 38, the words from “except such” to “this Act”.
40		In section 39, the words from “and in case of non-payment” onwards.
45		Sections 40, 41, 42 and 43.
50	London Hackney Carriage Act 1853.	In section 44, the words “or metropolitan stage carriage”. Sections 45 and 46. The Schedule.
16 & 17 Vict. c. 33.		In section 2, the words “metropolitan stage and” and “metropolitan stage or”.
55		Section 11. In section 12, the words “metropolitan stage carriages or” In section 13, the words “metropolitan stage carriages or” and “and at places where metropolitan stage carriages usually call or ply for hire”.

Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
16 & 17 Vict. c. 33— <i>cont.</i>	London Hackney Carriage Act 1853— <i>cont.</i>	Sections 14 and 15. In section 17, the words “The driver or conductor of any metropolitan stage carriage, 5 or”, “respectively”, and “or in default of payment to imprisonment”.
16 & 17 Vict. c. 127.	London Hackney Carriage (No. 2) Act 1853.	In section 19, the words “or in default of payment be 10 imprisoned”.
30 & 31 Vict. c. 134.	Metropolitan Streets Act 1867.	In section 16, the words “or metropolitan stage carriage”. Section 17. 15
32 & 33 Vict. c. 115.	Metropolitan Public Carriage Act 1869.	Section 5. In sections 6 and 7, the words “and stage” and “or stage”, wherever occurring. In section 8, the words from 20 “and no stage carriage” to “Secretary of State”; the words “or stage”, wherever occurring; the words “in the case of a hackney carriage”; 25 the words “and in the case of a stage carriage, that the conductor or driver, as the case may require”; and the words “or conductor”. 30 In section 9, the words “or stage”, wherever occurring. In section 15, the words “and metropolitan stage carriages”. 35
7 Edw. 7. c. 55.	London Cab and Stage Carriage Act 1907.	Section 1(2). 35 Sections 3 and 5. In section 6(2), the words “stage carriages, metropolitan stage carriages”, “stage carriage”, and “metropolitan 40 stage carriage”.
23 & 24 Geo. 5. c. 14.	London Passenger Transport Act 1933.	Section 51.
24 & 25 Geo. 5. c. 50.	Road Traffic Act 1934.	Section 41(8). 45
15 & 16 Geo. 6 & 1 Eliz. 2. c. 39.	Motor Vehicles (International Circulation) Act 1952.	Section 3.
1967 c. 76.	Road Traffic Regulation Act 1967.	In section 21(6), the words from “and references” on- 50 wards. Section 110(1). Schedule 7.
1969 c. 60.	Transport (London) Amendment Act 1969.	In Schedule 8, paragraph 4. The whole Act. 55

Statute Law (Repeals) Bill

PART XVIII

SCH. 1

STAMP DUTIES

Chapter	Short title	Extent of repeal
5	54 & 55 Vict. c. 39.	Stamp Act 1891.
	59 & 60 Vict. c. 28.	Finance Act 1896.
	10 & 11 Geo. 5. c. 18.	Finance Act 1920.
10	1 & 2 Geo. 6. c. 46.	Finance Act 1938.
	2 & 3 Geo. 6. c. 41.	Finance Act 1939.
15	10 & 11 Geo. 6. c. 35.	Finance Act 1947.
	11 & 12 Geo. 6. c. 49.	Finance Act 1948.
20	12, 13 & 14 Geo. 6. c. 47.	Finance Act 1949.
	7 & 8 Eliz. 2. c. 58.	Finance Act 1959.
25	1969 c. 48.	Post Office Act 1969.
<i>Acts of Parliament of Northern Ireland</i>		
30	1948 c. 15 (N.I.).	Finance Act (Northern Ireland) 1948.
	1954 c. 3 (N.I.).	Finance (Miscellaneous Provisions) Act (Northern Ireland) 1954.
35	1959 c. 9 (N.I.).	Finance Act (Northern Ireland) 1959.

PART XIX

SUPERVISORY POWERS OF SUPERIOR COURTS

Chapter	Short title	Extent of repeal
40	54 Geo. 3. c. 159.	Harbours Act 1814.
	1 Geo. 4. c. 100.	Militia (City of London) Act 1820.
45	9 Geo. 4. c. 69.	Night Poaching Act 1828.
	1 & 2 Will. 4. c. 32.	Game Act 1831.
	1 & 2 Will. 4. c. 37.	Truck Act 1831.

Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
1 & 2 Will. 4. c. 55.	Illicit Distillation (Ireland) Act 1831.	Section 49.
1 & 2 Vict. c. 28.	Bread (Ireland) Act 1838.	In section 23, the words from the beginning to "record at 5 Dublin; and".
3 & 4 Vict. c. 97.	Railway Regulation Act 1840.	Section 17.
7 & 8 Vict. c. 81.	Marriages (Ireland) Act 1844.	Section 80.
8 & 9 Vict. c. 16.	Companies Clauses Consolidation Act 1845.	Section 158, including that section as incorporated in any other Act. 10
8 & 9 Vict. c. 20.	Railways Clauses Consolidation Act 1845.	Section 156, including that section as incorporated in any other Act. 15
8 & 9 Vict. c. 109.	Gaming Act 1845.	Section 25.
8 & 9 Vict. c. 118.	Inclosure Act 1845.	Section 166.
10 & 11 Vict. c. 84.	Vagrancy (Ireland) Act 1847.	Section 6. 20
14 & 15 Vict. c. 92.	Summary Jurisdiction (Ireland) Act 1851.	Section 24.
16 & 17 Vict. c. 119.	Betting Act 1853.	Section 14. 25
17 & 18 Vict. c. 38.	Gaming Houses Act 1854.	Section 11.
17 & 18 Vict. c. 103.	Towns Improvement (Ireland) Act 1854.	Section 96, including that section as incorporated in any other Act. 30
22 & 23 Vict. c. 66.	Sale of Gas Act 1859.	Section 24.
24 & 25 Vict. c. 97.	Malicious Damage Act 1861.	Section 69. 35
24 & 25 Vict. c. 100.	Offences against the Person Act 1861.	Section 72.
25 & 26 Vict. c. 114.	Poaching Prevention Act 1862.	Section 5.
35 & 36 Vict. c. 50.	Railway Rolling Stock Protection Act 1872.	Section 7. 40
41 & 42 Vict. c. 52.	Public Health (Ireland) Act 1878.	Section 261.
26 Geo. 5 & 1 Edw. 8. c. 16.	Coinage Offences Act 1936.	Section 4(4). 45

PART XX.

WAR AND EMERGENCY

Chapter	Short title	Extent of repeal
9 & 10 Geo. 5. c. 33.	Treaty of Peace Act 1919.	The whole Act. 50
2 & 3 Geo. 6. c. 75.	Compensation (Defence) Act 1939.	In section 17(1), in the definition of "emergency powers" paragraph (a) and the word "or" immediately preceding paragraph (c). 55

Statute Law (Repeals) Bill

SCH. 1

Chapter	Short title	Extent of repeal
7 & 8 Geo. 6. c. 5.	Landlord and Tenant (Requisitioned Land) Act 1944.	In section 5, in the definition of "Emergency powers", paragraphs (a) and (b).
5 7 & 8 Geo. 6. c. 34.	Validation of War-time Leases Act 1944.	The whole Act.
1 & 2 Eliz. 2. c. 47.	Emergency Laws (Miscellaneous Provisions) Act 1953.	In section 2, the words from "and accordingly" onwards. Section 3(5). Section 5(1) from the beginning to the words "Regulation but". Sections 9 and 11.
10		In section 12, in subsections (1) and (2) the words "or the Minister of Transport", and in subsection (3) the word "four".
15		In section 13, the words "nine and eleven", the words from "and paragraphs" to "thereto" and the words from "and Part II" onwards.
20		Section 14(2). Schedule 3.
25	1 & 2 Eliz. 2. c. 52. 1969 c. 20.	The whole Act except sections 4(1) and (2), 16 and 18. Section 1(6).
	Enemy Property Act 1953.	
	Foreign Compensation Act 1969.	

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PART XXI

MISCELLANEOUS

Chapter	Title, short title or subject	Extent of repeal
27 Geo. 2. c. 19 (1754).	(Bedford Level).	Section 49.
35 59 Geo. 3. c. 7. 4 Geo. 4. c. 46 (1823).	Cutlery Trade Act 1819. An Act for repealing the capital punishment inflicted by several Acts of the 6th and 27th years of King George the Second; and of the 3rd, 4th and 22nd years of King George the Third; and for providing other punishments in lieu thereof, and in lieu of the punishment of frame breaking under an Act of the 28th year of the same reign.	The whole Act. The whole Act.
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Statute Law (Repeals) Bill

SCH. 1

Chapter	Title, short title or subject	Extent of repeal
3 & 4 Vict. c. 97.	Railway Regulation Act 1840.	Section 21.
23 & 24 Vict. c. 37 (1860).	An Act to levy an assessment in the county of Inverness to discharge a debt on the Castle Stewart and Nairn Road in the said county.	The whole Act. 5
35 & 36 Vict. c. 94.	Licensing Act 1872.	In section 39, the words "or confirm". In section 75, the words from "and in construing" onwards.
37 & 38 Vict. c. 40.	Board of Trade Arbitrations, &c. Act 1874.	In section 4, the words from "An order" onwards. 15
50 & 51 Vict. c. 51.	Valuation of Lands (Scotland) Amendment Act 1887.	The whole Act.
12, 13 & 14 Geo. 6. c. 68.	Representation of the People Act 1949.	In section 64(2)(b)(i), the words from "(other than" to "electoral areas)". 20
8 & 9 Eliz. 2. c. 64.	Building Societies Act 1960.	In section 72(2), the words "director" and ". 25
1969 c. 15.	Representation of the People Act 1969.	In section 8(1)(b)(i), the words from "(other than" to "electoral areas)". 25
1973 c. 56.	Land Compensation (Scotland) Act 1973.	Section 81(2).
1975 c. 24.	House of Commons Disqualification Act 1975.	In Part III of Schedule 1, the words "Local government officers, the following:—". 30
1975 c. 25.	Northern Ireland Assembly Disqualification Act 1975.	In Part III of Schedule 1, the words "Local government officers, the following:—". 35

Statute Law (Repeals) Bill

SCHEDULE 2

AMENDMENTS

PART I

-ALCOHOLISM AMENDMENTS

5 *The Inebriates Act 1898* 1898 c. 60.

In section 30 of the Inebriates Act 1898, for the words from “ shall be ” onwards substitute—

“ the First Schedule to this Act shall have effect for the purposes of the following enactments, namely—

10 the Licensing Act 1902, section 6,
the Licensing (Scotland) Act 1903, section 71, and
the Licensing (Scotland) Act 1959, section 160,
(being enactments which operate by reference to the list of offences set out in the Schedule).”

15 *The Licensing Act 1902* 1902 c. 28.

In section 6(1) of the Licensing Act 1902, for the words from the beginning to “ shall ” substitute—

20 “ Where a person is convicted of an offence mentioned in the First Schedule to the Inebriates Act 1898 and such person has, during the period of twelve months immediately preceding the date of the offence, been convicted on three occasions of an offence mentioned in the said Schedule, the court may ”.

The Licensing (Scotland) Act 1903 1903 c. 25.

In section 73 of the Licensing (Scotland) Act 1903—

25 (a) for the words “ section three of the Habitual Drunkards Act, 1879 ” substitute “ subsection (2) below ”; and

(b) at the end add—

30 “ (2) In this section “ habitual drunkard ” means a person who, not being a person suffering from mental disorder within the meaning of the Mental Health (Scotland) Act 1960, is notwithstanding, by reason of habitual intemperate drinking of intoxicating liquor, at times dangerous to himself or to others, or incapable of managing himself and his affairs.”.

Statute Law (Repeals) Bill

SCH. 2

PART II

OTHER AMENDMENTS

1939 c. 31.

The Civil Defence Act 1939

After section 62(1) of the Civil Defence Act 1939 insert—

“(1A) In subsection (1)(b) above ‘local authority’, in the 5 first place where it occurs—

- (a) in the case of England and Wales, includes any authority having power to levy a rate as defined for the purposes of the General Rate Act 1967, or for whose expenses a 10 precept may be issued for the levying of such a rate, and any combination or joint committee of any such authorities;
- (b) in the case of Scotland, means a regional, islands or district council.”.

1953 c. 52.

The Enemy Property Act 1953

15

In section 4(1) of the Enemy Property Act 1953 after “custodian” in the first place where it occurs insert “of enemy property appointed under section 7 of the Trading with the Enemy Act 1939 (hereinafter referred to as ‘the Act of 1939’)”.

1955 c. 6.
(4 & 5 Eliz. 2).

The Miscellaneous Financial Provisions Act 1955

20

In section 1(3) of the Miscellaneous Financial Provisions Act 1955 for “the said proviso” substitute “the proviso to subsection (1) of the said section three”.

1967 c. 46.

The Protection of Birds Act 1967

In the Protection of Birds Act 1967—

25

- (a) in section 3(2), for “the said section 6(1)” substitute “section 6(1) of the principal Act”;
- (b) in section 12(2), for the words “This Act shall be construed as one with the principal Act” substitute “In this Act ‘the principal Act’ means the Protection of Birds Act 1954; and 30 this Act shall be construed as one with that Act”.

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 contains savings to some of the repeals in Parts XIII and XVI of Schedule 1.

Clause 3(1) declares that the Bill extends to Northern Ireland.

Clause 3(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

ADMINISTRATION OF JUSTICE

Section 7 of the Distress (Costs) Act 1817 consists of an archaic requirement to display a copy of that Act as originally enacted.

The repeals proposed to the Fines and Recoveries Act 1833 and the Slave Trade Act 1873 are of obsolete provisions enabling defendants in civil proceedings to plead the general issue, being provisions which have the effect of depriving the opposite party of the right to be supplied with particulars of the matters on which the defendant relies.

As a result of the merger of the Durham Palatine Court with the High Court (by the Courts Act 1971) the unrepealed residue of the Durham (County Palatine) Act 1836 is spent.

The Wages Attachment Abolition Act 1870 has been superseded by the Attachment of Earnings Act 1971.

The Langbaugh Coroners Act 1873, which provided for the constitution of three coroners' districts within the wapentake of Langbaugh in Yorkshire, has been superseded by section 220 of the Local Government Act 1972 and orders made under that section.

The words proposed for repeal in the Inferior Courts Judgments Extension Act 1882 became obsolete in 1897 when the Court of Bankruptcy in Ireland was united with the High Court in Ireland.

The three Courts (Emergency Powers) Acts of 1914 and 1916 proposed for repeal apply only to court orders made before 31 August 1922. The Acts are now unnecessary.

The repeals proposed to the Administration of Justice Act 1928 are, first, of a provision requiring the Supreme Court of Judicature (Consolidation) Act 1925 to be printed as amended by that Act. Numerous amendments to the 1925 Act have since been made by other Acts, and it no longer serves any useful purpose to have the 1925 Act reprinted in its 1928 form. The other repeals are of provisions which amend enactments no longer on the statute book.

The unrepealed residue of the Expiring Laws Act 1931 is spent.

Section 1(2) of the Prize Salvage Act 1944 is a spent transitional provision which applied to proceedings (to enforce a claim for prize salvage) instituted after 25 January 1944 and before 1 March 1944.

The repeals proposed to the following Acts are of spent transitional provisions or consequential on repeals already made or now proposed, namely, the Legal Aid and Solicitors (Scotland) Act 1949, the Law Reform (Limitation of Actions, &c.) Act 1954, the Fatal Accidents Act 1959 and the Limitation Act 1963.

Section 38 of the Matrimonial Causes Act 1965 is superseded by section 16 of the Maintenance Orders Act 1950 as amended in 1973.

PART II

ALCOHOLISM

The proposals in this Part affect only Great Britain. The enactments concerned either do not apply to Northern Ireland or were repealed in their application there by the Health and Personal Social Services (Northern Ireland) Order 1972.

As originally enacted, the Inebriates Acts 1879 to 1900 (the first five Acts in this Part) constituted a code for the establishment and regulation of three different types of institution to deal with habitual drunkards, namely, retreats, State inebriate reformatories and certified inebriate reformatories. This code has been virtually obsolete for many years. No State or certified inebriate reformatory has existed since 1921. One retreat in England still remains, but its licence serves no purpose since it offers purely voluntary treatment and the machinery provided by the Habitual Drunkards Act 1879 for the compulsory detention of inmates long ago fell into disuse. The Royal Commission on Licensing (England and Wales) 1929-1932 accepted that the Inebriates Acts had been

shown to be a failure. More recently, a Home Office Working Party on Habitual Drunken Offenders reported in 1971 that the retention of the Acts on the statute book served no useful purpose.

However, the Inebriates Acts are not ready for outright repeal by this Bill since some provisions have been used by later Acts for purposes which were not within the original code and are still used for those purposes. For this reason it is proposed—

- (a) to preserve, except for obsolete entries, the First Schedule to the Inebriates Act 1898 and section 30 of that Act; and
- (b) to amend section 6(1) of the Licensing Act 1902 and section 73 of the Licensing (Scotland) Act 1903.

The effect of these proposals is explained in the notes to Part I of Schedule 2 to the Bill, which makes the necessary amendments.

The repeals proposed to section 2 of the Licensing Act 1902 would remove an obsolete reference to imprisonment with hard labour (abolished in 1948) and an obsolete reference to section 60 of the Licensing Act 1872 (repealed in 1910).

Section 3 of the Licensing Act 1902 (power to require security for good behaviour on conviction for drunkenness) is now unnecessary. The power it conferred has been put beyond doubt by the enactment of section 1(7) of the Justices of the Peace Act 1968.

The repeal proposed to the Finance Act 1949 is of a spent provision abolishing the duties formerly charged on licences to keep a retreat under the Habitual Drunkards Act 1879.

The repeals proposed to the Mental Health Act 1959 and the Mental Health (Scotland) Act 1960 are consequential on the proposed repeal of the Habitual Drunkards Act 1879.

PART III

ANIMALS

The repeals proposed to the Dogs Act 1906 and the Protection of Animals Act 1911 are consequential on repeals already made; and those proposed to the Horse Breeding Act 1958 are of a spent repealing enactment and spent transitional provisions.

Section 15 of the Agriculture (Miscellaneous Provisions) Act 1963 is spent because no fowl pest vaccine was to be made available thereunder after March 1965.

The repeals proposed to the Animal Boarding Establishments Act 1963 and the Riding Establishments Act 1964 are of spent repealing enactments and spent transitional provisions.

Sections 1 and 2 of the Protection of Birds Act 1967 are spent repealing enactments, and the repeals proposed to sections 3 and 12 are of a provision which is no longer necessary or consequential on the proposed repeal of section 1.

The provision proposed for repeal in section 11 of the Badgers Act 1973 became unnecessary when the Local Government Act 1972 came into operation on 1 April 1974.

PART IV

ARMED FORCES

The Kilmainham Hospital (Pensions Commutation) Act 1813, which enabled the Commissioners of Kilmainham Hospital to commute certain military pensions, has long been obsolete. Kilmainham Hospital, situated on the outskirts of Dublin, formerly provided facilities for invalid and veteran soldiers in Ireland, but it was closed soon after the establishment of the Irish Free State in 1922.

Most of the repeals proposed to the Chelsea and Kilmainham Hospitals Act 1826 are of obsolete provisions relating to the administration of pensions by the Commissioners of Kilmainham Hospital. Section 12 is a spent transitional provision preserving the pensions claims of soldiers enlisted under the regulations in force in 1826. Section 22 regularised the payment of Irish pensioners in English currency, and its original enactment was connected with the dual administration of military pensions by Kilmainham and Chelsea Hospitals; the section is now unnecessary since Kilmainham Hospital no longer exists and the Act of 1818 which directed payment in Irish currency has been repealed. Section 26, which restricted the assignability of pensions, has been superseded by later legislation prohibiting assignments, particularly the Army Act 1955, s.203(1). Section 33, which penalised agents or clerks who exacted rewards for paying pensions, was originally enacted to put down the scandalous and corrupt practices to which military pensioners were subjected in the 18th century; conduct of this type is now punishable under the general criminal law.

The residue of the Army Pensions Act 1830 has been superseded or made unnecessary by later legislation, in particular the Pensions and Yeomanry Pay Act 1884 and the War Pensions Act 1921, or by Royal Pension Warrants.

Most of the Pensions Act 1839 regulates the assignment of military pensions and is obsolete because such assignments are now void. Section 9 (forgery) is in force only in Scotland where it is unnecessary since forgery is a crime at common law.

The provisions of the Chelsea (Abolition of Poundage) Act 1847 which abolished poundage (a deduction of one shilling, or in some cases, sixpence in the pound from Chelsea pensions) are spent. The remaining provisions, which regulated the intervals at which pensions should be paid, have been superseded by the Army Pensions Act 1914.

The repeals proposed to section 4 of the Naval and Marine Pay and Pensions Act 1865 and section 5 of the Greenwich Hospital Act 1865 are of obsolete references to half-pay, which was finally abolished in the Navy in 1938. Section 7 of the Naval and Marine Pay and Pensions Act 1865 is a spent transitional provision relating to apprenticeships in being in 1865. Section 8 of the Greenwich Hospital Act 1865 (assignment of Greenwich Hospital pensions) has been superseded by the Naval Pensions Act 1884, s.2.

Section 3 of the Naval Pensions Act 1884 (restoration of pensions forfeited under the Forfeiture Act 1870) is unnecessary and the point is covered by the Criminal Justice Act 1948, s.70 and the Criminal Justice Act (Northern Ireland) 1953, s.9(2).

The Pensions and Yeomanry Pay Act 1884 has not applied to the Yeomanry since 1921 and the repeals proposed would clarify the text by removing references to the pay and pensions of the Yeomanry.

The unrepealed residue of the Greenwich Hospital Act 1898 consists of section 1 as it applies to Northern Ireland (which is proposed for repeal in Part XV of this Schedule), section 3 (a spent repealing enactment) and section 6 (short title).

The repeal proposed to the Army Pensions Act 1914 is of words which had the effect of preventing pre-First World War pensions from being paid at more frequent intervals than quarterly. The restriction is now pointless.

The repeals proposed to the following enactments, namely, the Air Force (Constitution) Act 1917, the Auxiliary Air Force and Air Force Reserve Act 1924, the Air Force Reserve (Pilots and Observers) Act 1934, the Auxiliary and Reserve Forces Act 1949, the Air Force Reserve Act 1950 and (except for section 46(6)) the Auxiliary Forces Act 1953 are of provisions conferring power to make Orders in Council (or saving or modifying the power to make such Orders) applying the legislation applicable to the Army Reserve or the Territorial Army (now the T.A.V.R.) to the Air Force Reserve or the Royal Auxiliary Air Force. The powers ceased to be necessary when the Orders in Council made under them were consolidated in the form of statutes by the Air Force Reserve Act 1950 and the Auxiliary Forces Act 1953, but the enactments concerned could not be repealed then because of technical limitations at that time on the scope of consolidation Bills.

The Reserve and Auxiliary Forces (Training) Act 1951 made temporary provision for the calling up of selected reservists for periods of refresher training during the years 1951 and 1952. This was necessary because there had not been time to build up the reserves from national service men who had finished their colour service. All the provisions of the Act are now spent or unnecessary. The proposed repeal of section 46(6) of the Auxiliary Forces Act 1953 is consequential.

The Navy, Army and Air Force Reserves Act 1954 and the Army Reserve Act 1969 extended, for periods which finally expired on 30 June 1974, the reserve liability of certain national service men or national service volunteers who had completed their whole-time and part-time service under the National Service Acts. The repeal proposed to the Reserve Forces Act 1966 is consequential.

PART V

CIVIL DEFENCE

Because of the powers conferred by the Civil Defence Act 1948 (which will remain on the statute book) the Air-Raid Precautions Act 1937 and the provisions in the Civil Defence Act 1939 proposed for repeal are no longer wanted. The remaining proposed repeals are consequential. Consequentially upon the proposed repeal of the 1937 Act, Part II of Schedule 2 to the Bill contains a definition of the expression "local authority" for the purposes of the 1939 Act.

PART VI

CUSTOMS AND EXCISE

The repeals proposed to the Game Licences Act 1860 and the Finance Act 1923 are of an obsolete reference to Dublin or consequential on repeals already made.

The repeals proposed to the Finance Act 1924 would remove obsolete references to gun licences which were abolished in Great Britain in 1966.

The repeals proposed to the Finance Acts of 1928 and 1970 and the Customs and Excise Act 1952 are consequential on repeals already made. Section 2 of the Finance Act 1963 is spent.

PART VII

INDIA

The proposed repeals in this Part which are not expressly referred to below are of—

- (a) obsolete or unnecessary references to India, British India or the Provinces thereof, as constituted before 1947; or
- (b) spent or obsolete Acts which amended or supplemented the pre-1947 constitutions of India and Burma and whose repeal is consequential on the repeals proposed to the Government of India Act 1935 (25 Geo.5 & 1 Edw.8 c.2).

Section 23 of the Extradition Act 1870 (a saving for extradition treaties with Indian native states) became obsolete when the treaties lapsed by virtue of section 7 of the Indian Independence Act 1947.

The repeals proposed to the East India Unclaimed Stock Act 1885 are of spent provisions respecting East Indian Railway annuities and debentures and of obsolete provisions respecting the functions of the Secretary of State in relation to Indian railway companies.

Section 2 of the Appellate Jurisdiction Act 1908 and the Appellate Jurisdiction Act 1929 (as extended by Order in Council under the India (Consequential Provision) Act 1949) made provision for the appointment of additional members of the Judicial Committee of the Privy Council for the purpose of hearing Indian appeals and for the pensions payable to them on retirement. Fresh appointments under these provisions would not now be made since the right of appeal from courts in India and Pakistan has been abolished since 1950. The last pension granted by virtue of this legislation ceased to be payable in 1970.

The unrepealed residue of the Government of India Act 1919 consists of the preamble and the short title. The preamble, which is now obsolete, was specially preserved in 1935 as a legislative statement of the attitude of the British Parliament and people towards the political aspirations of India.

The repeal proposed to the Trusts (Scotland) Act 1921 is consequential on the repeal of section 10 of that Act by the Trustee Investments Act 1961.

The Indian Church Act 1927 was enacted for the purpose of giving effect to changes consequential on the Indian Church Measure 1927 which dissolved the union legally existing between the Church of England and the Church of England in India. The provisions of the Act and the Measure are either spent or obsolete.

The original Government of India Act 1935 (25 & 26 Geo.5 c.42)—which enacted constitutions for both India and Burma—and the Government of India (Reprinting) Act 1935—which divided the original Act into two portions relating respectively to India and Burma—were superseded by or became spent on the enactment of the second Government of India Act 1935 (26 Geo.5 & 1 Edw.8 c.2) and the Government of Burma Act 1935 (26 Geo.5 & 1 Edw.8 c.3).

The second Government of India Act 1935 (26 Geo.5 & 1 Edw.8 c.2) was the constitutional foundation of British rule in India until the passing of the Indian Independence Act 1947, although one of its main objectives—the establishment of a Federation under the Crown in India between the Provinces of British India and the Indian States—was never achieved. Since 1947 the residual operation of the Act as United Kingdom law has been mainly in respect of Indian pensions; but except for the provisions excepted from repeal, the Act is now obsolete, spent or unnecessary.

The Indian Divorce Act 1945, which validated five divorce decrees granted by the Bombay High Court, is spent.

The repeals proposed to the Indian Independence Act 1947 would remove from the text of that Act provisions which are spent, obsolete or unnecessary.

The repeals proposed to the India (Consequential Provision) Act 1949 are of provisions enabling the law of the United Kingdom to be modified in consequence of India becoming a republic. The only Order in Council made under these provisions—the India (Consequential Provision) Order 1949—became finally spent in 1970 and the power to make further Orders is now unnecessary.

PART VIII

LOCAL GOVERNMENT

The parts of the Act of 1793 relating to Glasgow which authorised building operations and the sale of property are spent. The remainder of the Act is obsolete.

The unrepealed residue of the Liberties Act 1836 is spent. It no longer has any effect for rating purposes.

The Dunbar Harbour Loan Act 1857 is spent.

The unrepealed residue of the Act of 1871, which defined the boundaries of the Barony and Regality of Glasgow for registration purposes, is spent.

Section 193 of the Municipal Corporations Act 1882 is obsolete because county boroughs have been abolished. Sections 225, 228, 229, 232 and 245 are also obsolete and the repeal of these sections would remove doubts as to whether they still apply to London.

The unrepealed residue of the Local Government (Scotland) Act 1889 consists of provisions which are spent or unnecessary.

Section 25(7) of the Local Government Act 1894 is spent because there are no enactments which apply the repealed section 276 of the Public Health Act 1875.

The repeals proposed to the following Acts are of provisions which have had their effect and are spent or are consequential on repeals already made or now proposed, namely, the Local Government (Scotland) Act 1908, the Local Government Acts of 1929 and 1948, the Local Government (Scotland) Act 1947 and the Local Government (Miscellaneous Provisions) Act 1953.

The unrepealed residue of the Local Government (Financial Provisions) (Scotland) Act 1954 consists of provisions which have been superseded by later enactments or are otherwise spent.

The proposed repeal of the Local Authorities (Expenses) Act 1956, which has been repealed for England and Wales, would remove doubts as to whether the Act applies to Scotland.

In the cases of the Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958, the New Towns Act 1959 and the Public Authorities (Allowances) Act 1961 the proposed repeals are of provisions which are spent or are consequential on repeals already made.

The repeals proposed to the Local Authorities (Historic Buildings) Act 1962, the Local Government (Financial Provisions) Act 1963 and the Local Government Act 1966 are of spent financial provisions or are consequential on repeals already made.

The Lost Property (Scotland) Act 1965 will be spent when the repeal of the Burgh Police (Scotland) Act 1892 by the Local Government (Scotland) Act 1973 takes effect at the end of 1979.

Section 1 of the Local Government (Scotland) Act 1966 is spent. It increased the general grant for the year 1966-67 and discontinued general grants and Exchequer Equalisation Grants for subsequent years.

All the provisions of the Local Government (Termination of Reviews) Act 1967 are already spent with the exception of section 1(4) which will become spent when effect is given to the proposal (in Part IX of this Schedule) to repeal the definition of the expression "county review area" in the London Government Act 1963.

PART IX

LONDON

The Acts of 1766, 1776 and 1786, which were designed to prevent frauds in the admeasurement of coals, ceased to have effect, at the latest, in 1807.

The Act of 1770, which was for the prevention of frauds and impositions on labourers unloading coal ships on the Thames between London Bridge and Greenwich, is thought to have lapsed after three years. In any event, however, the Act is obsolete because the special process of coal-heaving or "coal-whipping" regulated by the Act became extinct following the introduction of more advanced methods of unloading colliers.

The London Coal Duties Abolition Act 1889, which abolished the ancient right of the Corporation of the City of London to levy duties on imported coals, culm or cinders, is spent.

The unrepealed residue of the Superannuation (Metropolis) Act 1866 and section 24(4) of the Metropolis Water Act 1902 are no longer required: the pension rights of the three persons concerned will be preserved by the Interpretation Act 1889. The remaining repeal to the 1902 Act and those to the Metropolitan Water Board Act 1935 are consequential. The unrepealed residue of the Baths and Washhouses Act 1878, which extended the 1866 Act to certain employed persons, is no longer wanted.

The provisions proposed for repeal in the London Government Act 1963 and the unrepealed residue of the Town and Country Planning Regulations (London) (Indemnity) Act 1970 are spent.

PART X

MEDICINE

The repeals proposed to the Apothecaries Act 1815 are of provisions which have become obsolete or unnecessary as a result of the changes which have occurred in the status and functions of apothecaries since 1815. At that time the apothecary occupied an intermediate position between the doctor and the chemist; but today apothecaries do not seek to perform the functions of a pharmacist and qualification as an apothecary is a means of becoming a registered medical practitioner. The general law regulating the medical profession therefore applies to apothecaries.

The words proposed for repeal in section 6 of the Anatomy Act 1832, which require an annual return to be made to

Parliament of salaries and allowances paid to inspectors of anatomy, have been inoperative since 1874. In that year the returns were discontinued by a Treasury Minute made under the Parliamentary Returns Act 1869.

Section 5 of the Apothecaries Act Amendment Act 1874, section 2 of the Medical Act (Royal College of Surgeons of England) 1875 and the Medical Act 1876 (also known as Russell Gurney's Act) enabled medical qualifications to be granted to women. The enactments ceased to be necessary on the passing of the Sex Disqualification (Removal) Act 1919.

The first proviso to the Medical Act (Royal College of Surgeons of England) 1875, which saved the power of electing as fellows without examination certain persons practising surgery in 1875, is spent. Section 25 of the Medical Act 1886, which saved the right to practise medicine in the colonies of persons who had this right in 1886, is similarly spent.

The repeal proposed to the Common Informers Act 1951 is consequential on repeals proposed to the Apothecaries Act 1815.

PART XI

MONEY

Section 28 of the Bank of England Act 1694, which relates to the assignability of sealed bills, is obsolete. The sealed bill (a formal type of instrument issued by the Bank which was usually interest-bearing) was in regular use only during the period 1694–1716. These instruments went out of favour as the more convenient notes signed by the Cashier, which did not require sealing, came to be generally accepted.

Sections 15 and 16 of the Bills of Exchange (Ireland) Act 1828 (which impose requirements on notaries practising in Dublin) are proposed for express repeal in order to remove any doubts as to whether, in relation to the law of Northern Ireland, the reference to Dublin is to be construed as a reference to Belfast by virtue of article 7(b) of the General Adaptation of Enactments (Northern Ireland) Order 1921.

The unrepealed residue of the Usury Laws Repeal Act 1854 is spent because, among other reasons, there are no pre-1854 Acts still in force relating to pawnbrokers.

The words proposed for repeal in section 7 of the Consolidated Fund (Permanent Charges Redemption) Act 1873 became obsolete when the old restraints on the holding of property by married women disappeared.

The repeals proposed to the Bank of England Act 1946 are of spent transitional provisions and a provision which was spent when a day was appointed for the purposes of the Act.

Section 1(2) of the Miscellaneous Financial Provisions Act 1955 is spent and section 8 of the Public Loans Act 1964 ceased to serve its purpose when the Act received the Royal Assent.

The repeals to the Air Corporations Act 1969 are of some spent provisions which extinguished outstanding liabilities of the British European Airways Corporation in respect of certain advances.

PART XII

OBSELETE COUNCILS IN ENGLAND AND WALES

The repeals proposed in this Part are consequential on the abolition by the London Government Act 1963 of metropolitan boroughs and by the Local Government Act 1972 of county boroughs, non-county boroughs, urban districts and rural districts.

PART XIII

OVERSEAS FINANCIAL AID

The Empire Settlement Acts 1922 and 1937 and the Commonwealth Settlement Act 1967 enabled schemes to be formulated for furthering British settlement in Her Majesty's Oversea Dominions. A basic feature of the schemes was the liability of the Secretary of State to make contributions not exceeding one-half of the expenses incurred under them. The period of liability of the Secretary of State under the schemes was extended on several occasions and finally terminated on 31 May 1972, when the Acts became spent. Some small grants made to voluntary societies for the settlement of children in Australia continue to be made on an extra-statutory basis under the authority of the annual Appropriation Acts.

The Irish Free State Land Purchase (Loan Guarantee) Act 1924 authorised the Treasury to guarantee a loan not exceeding £30 million raised by the Government of the Irish Free State for the purposes of land purchase. The power to make further guarantees under the Act has long been exhausted and except for the provisions preserved by clause 2(1) of the Bill (which relate to the existing guarantee) the Act is spent.

The East Africa Loans Act 1926, section 4 of the Colonial Development Act 1929 and the East Africa Loans (Amendment) Act 1931 authorised the Treasury to guarantee loans, not exceeding £10 million in all, raised by the Governments of Kenya, Uganda, Northern Rhodesia, Nyasaland or Tanganyika for the principal purposes of railway, harbour and road works.

The territories concerned have all become independent states and fresh guarantees would not now be given under the Acts. Wide powers are available under later statutes, in particular the Overseas Aid Act 1966, enabling financial and other forms of aid to be furnished to any country or territory outside the United Kingdom. Except for the provisions preserved by clause 2(1) of the Bill (which relate to existing guarantees) the enactments are therefore not of practical utility.

The Tanganyika and British Honduras Loans Act 1932 is spent. All the guarantees to which it related have expired.

Section 3 of the Ghana Independence Act 1957 and section 2(1)(c) of the Federation of Malaya Independence Act 1957, which relate to payments in pursuance of schemes under the Colonial Development and Welfare Acts 1940 to 1955, are spent.

The Tanganyika Agricultural Corporation Act 1957 enabled grants not exceeding £500,000 to be made to the Tanganyika Agricultural Corporation (a body constituted under the law of Tanganyika) for the purpose of carrying on the undertaking of the former Overseas Food Corporation which was transferred to the Tanganyika Corporation by the Overseas Resources Development Act 1954. The period during which such grants could be made ended on 30 September 1962 and accordingly the Act is spent. The proposed repeal of section 4 of the Tanganyika Independence Act 1961 is consequential.

The power to make fresh schemes and loans under the Colonial Development and Welfare Act 1959 has terminated in pursuance of section 1 of the Overseas Development and Service Act 1965. Except for the provisions preserved by clause 2(2) of the Bill (which relate to existing schemes and loans) the Act is therefore spent. Development aid to British dependent territories is now provided under the authority of the Overseas Aid Act 1966.

The other repeals proposed in this Part are consequential on the proposed repeal of the Colonial Development and Welfare Act 1959.

PART XIV

OVERSEAS TERRITORIES

The Isle of Man Purchase Act 1765 gave effect to the contract for the sale to the Crown by the Duke of Atholl and others of the Isle of Man on payment of the sum of £70,000. The Act is spent.

The North American Fisheries Act 1819 and the Treaty of Washington Act 1872 were concerned with American claims to fishing rights in Canada arising from the terms of the Treaty of

Paris 1783 and subsequent treaties, including the Treaty of Washington 1871. The Acts have been overtaken by subsequent events, and in particular by an award made by the Hague Tribunal in 1910 and a treaty of 1912 which for practical purposes settled the long-standing dispute. The 1819 Act enabled a common informer action to be brought for a contravention of its terms both in Canada and in England, but the extra-territorial jurisdiction of the English courts under this Act can now be regarded as obsolete.

The (Colonies) Evidence Act 1843, which authorised colonial legislatures to pass laws for the admissibility of the evidence of atheists in civil and criminal proceedings, is obsolete. The Act was passed because under English law at that time, as declared by the 18th century case of *Omychund v. Barker*, "infidels" who did not believe in a God or a state of rewards and punishments could not be admitted as witnesses and there were doubts as to whether a colonial law which permitted such evidence to be taken was void on the ground of repugnancy to the law of England. However, the scope of the doctrine of repugnancy was clarified by the Colonial Laws Validity Act 1865 and in any event the English law on the admissibility of atheists' evidence has been reversed since 1843: see now the Oaths Act 1888.

The Coinage (Colonial Offences) Act 1853 provided for the punishment (originally transportation for life) of persons importing counterfeit coin into a colony or possession abroad. The Act is unnecessary and no longer relied on in the remaining dependent territories, where the matter is regulated by local law.

The Colonial Fortifications Act 1877 enabled Orders in Council to be made transferring fortifications for the defence of a colony to the colonial government concerned. The Naval Establishments in British Possessions Act 1909 made similar provision as respects property held for naval purposes. The machinery provided by these Acts has fallen into disuse and the powers are unnecessary since there are simpler methods available for transferring property of this type.

Section 17 of the Colonial Prisoners Removal Act 1884, which applied to persons who had been convicted or become criminal lunatics before 1884, is spent.

The Anglo-French Convention Act 1904 gave the approval of Parliament to a convention which settled a dispute concerning French claims to fishing rights off the coasts of Newfoundland. As part of the compensation for the abandonment by the French of their privileges, the convention made frontier adjustments between British and French possessions in West Africa and ceded the Iles de Los (opposite Konakry) to France. The Act is spent.

The South Africa Act 1909 constituted the former Union of South Africa and provided machinery for the admission into the Union of neighbouring territories for which the British Government had ultimate responsibility. Since 31 May 1961 South Africa has had a republican constitution enacted by its own Parliament; the machinery for the admission of neighbouring territories is obsolete.

The repeal proposed to the Palestine Act 1948 is of a provision for the continued detention under the Colonial Prisoners Removal Act 1884 of any person who had been removed from Palestine under that Act before 15 May 1948. The provision can now be regarded as spent.

The repeal proposed to the Common Informers Act 1951 is consequential on the proposed repeal of the North American Fisheries Act 1819.

The Rhodesia and Nyasaland Federation Act 1953 (which provided for the establishment of the Federation of Rhodesia and Nyasaland) and section 1 of the British Nationality Act 1958 (which recognised Federal citizenship) are spent in consequence of the dissolution of the Federation on 31 December 1963.

The Cocos Islands Act 1955 and the Christmas Island Act 1958, in pursuance of which the Islands were placed under the authority of the Commonwealth of Australia, are spent.

The repeal proposed to the South Africa Act 1962 is of a spent transitional provision dealing with fugitive offenders from the Republic of South Africa.

PART XV

PROPERTY

The repeals proposed to the Literary and Scientific Institutions Act 1854, the Ordnance Board Transfer Act 1855 and the Defence Act 1860 are of provisions which are obsolete in consequence of supervening property and other legislation.

The words proposed for repeal in section 15 of the Registration of Long Leases (Scotland) Act 1857 are spent because certificates of registration no longer require a signature.

Section 43 of the Greenwich Hospital Act 1865 and section 1 of the Greenwich Hospital Act 1898 are unnecessary in Northern Ireland where, as in England, the old law of mortmain has disappeared and the former restrictions on charitable gifts are no longer in force. The sections have already been repealed for Great Britain by the Charities Act 1960.

Section 45 of the Greenwich Hospital Act 1865 provides for the application of a special mark to Greenwich Hospital stores.

Until 1960 the mark appeared on naval clothing used by boys of the Royal Hospital School, but its use has now been discontinued and the section is therefore unnecessary. The proposed repeal of section 17 of the Public Stores Act 1875 is consequential.

The repeals proposed to the Church of Scotland (Property and Endowments) Act 1925 are of provisions relating to the standardisation of stipends which have become spent in consequence of the death in 1973 of the last pre-1925 incumbent whose stipend was payable by reference to the average prices of grain.

The paragraphs in Schedule 9 to the Landlord and Tenant Act 1954 proposed for repeal are spent transitional provisions.

The Winfrith Heath Act 1957 which extinguished certain rights of common is spent.

Subsection (3) of section 39 of the Leasehold Reform Act 1967 is spent consequentially upon the repeal of subsection (1) (b) of that section by the Counter-Inflation Act 1973.

The Rent (Control of Increases) Act 1969 is spent because the periods during which it restricted certain rent increases have expired.

PART XVI

ROAD TRAFFIC: CIVIC AMENITIES

The repeals proposed in this Part are designed to clear up the confusion caused by the fact that there are two versions of sections 20, 52 and 53 of the Road Traffic Regulation Act 1967 (which among other things relate to the removal and disposal of abandoned vehicles), namely, the version as originally enacted and the amended version in the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, as amended, which was made pursuant to the powers conferred by section 25 of the Civic Amenities Act 1967.

The draft Bill would preserve the amended version of the sections. As no further alteration of the sections is thought to be necessary, section 25 of the Civic Amenities Act 1967 is proposed for repeal but the orders made under it would be saved by the provision in clause 2(3) of the Bill.

PART XVII

ROAD TRAFFIC: GENERAL

With the exception of those expressly referred to below, the repeals proposed in this Part are of enactments regulating metropolitan stage carriages and London hackney carriages.

The legislation is inoperative with respect to metropolitan stage carriages, since no vehicles within the meaning of this term still exist, and it is proposed to remove all references to them. So far as hackney carriages are concerned, the legislation continues to govern the London cab trade and alterations of a substantive nature would not be appropriate in this Bill. Much of the legislation in this respect, however, belongs to a period of society quite different from the present and it has proved possible to recommend the removal of a number of obsolete and unnecessary provisions, mainly of a procedural nature, which at present clutter up the text and make the legislation difficult to follow.

Section 5 of the London Cab and Stage Carriage Act 1907 (application of statutory provisions to carriages used on light railways running in streets) and section 51 of the London Passenger Transport Act 1933 (provision with respect to tram-cars, light railway cars and trolley vehicles) are inoperative, since the vehicles to which they refer have long ceased to operate in London.

The repeal proposed to the Road Traffic Act 1934 is consequential on the repeal of section 23 of that Act by the Local Government (Scotland) Act 1973.

Section 3 of the Motor Vehicles (International Circulation) Act 1952 has been superseded by section 7(5) of the Vehicles (Excise) Act 1971 and section 7(5) of the Vehicles (Excise) Act (Northern Ireland) 1972.

The repeals proposed to the Road Traffic Regulation Act 1967 are of words which have become unnecessary in consequence of a repeal made by the Local Government (Scotland) Act 1973, spent repealing enactments and a spent transitional provision.

The Transport (London) Amendment Act 1969 is spent.

PART XVIII

STAMP DUTIES

The repeals proposed in this Part are of provisions relating to stamp duties which are spent or unnecessary or consequential on repeals already made.

PART XIX

SUPERVISORY POWERS OF SUPERIOR COURTS

All the repeals proposed in this Part are of obsolete or superseded provisions which enact that convictions are not to be quashed for want of form or be removed by certiorari.

Except to the limited extent therein specified, section 14 of the Tribunals and Inquiries Act 1971 overrides any provision in an Act passed before August 1958 which excludes the supervisory powers of any of the superior courts in the United Kingdom. A similar enactment is contained in article 6 of the Administration of Justice (Northern Ireland) Order 1975.

PART XX

WAR AND EMERGENCY

The Treaty of Peace Act 1919 is spent. It enabled the Treaty of Peace concluded at Versailles on 28 June 1919 to be carried into effect.

The repeals proposed to the Compensation (Defence) Act 1939 and the Landlord and Tenant (Requisitioned Land) Act 1944 are consequential on repeals already made.

The Validation of War-time Leases Act 1944 is spent as an enactment but, if there are still any leases to which it applied, will continue to have effect as evidence of title.

The repeals proposed to the Emergency Laws (Miscellaneous Provisions) Act 1953 are of provisions which are spent or consequential on repeals already made.

Apart from the provisions excepted from the proposed repeal, the Enemy Property Act 1953 is spent; and the proposed repeal of section 1(6) of the Foreign Compensation Act 1969 is consequential.

PART XXI

MISCELLANEOUS

Section 49 of the Act of 1754 concerning the Bedford Level created offences (originally punishable by death without benefit of clergy) of maliciously destroying or damaging drainage works erected on the Great Level of the Fens. The section is unnecessary, having regard to the Criminal Damage Act 1971. The proposed repeal of the Act of 1823 is consequential, since the unrepealed residue of this Act consists only of a provision substituting transportation or imprisonment for the capital punishment prescribed by the Act of 1754.

The Cutlery Trade Act 1819 is proposed for repeal partly because it deals with a process of making cutlery which is no longer employed and partly in reliance on the Trade Descriptions Act 1968.

Section 21 of the Railway Regulation Act 1840 was superseded by section 21 of the Regulation of Railways Act 1842.

The Act of 1860 relating to the county of Inverness is spent. It enabled a certain annual assessment to be levied for a period not exceeding thirty years.

The words "or confirm" in section 39 of the Licensing Act 1872 are spent as a result of the abolition of confirmation procedure, and the repeal proposed to section 75 is consequential on the repeal of the Alehouse Act 1828 in 1910.

The provision proposed for repeal in section 4 of the Board of Trade Arbitrations &c., Act 1874 is superseded by section 14 of the Industrial Expansion Act 1968.

The only substantive provision in the Valuation of Lands (Scotland) Amendment Act 1887 was repealed by the Local Government (Scotland) Act 1973.

The repeals proposed to the Representation of the People Acts of 1949 and 1969 are consequential on the repeal of paragraph 5 of Schedule 2 to the London Government Act 1963 by the Local Government Act 1972.

The words proposed for repeal in the Building Societies Act 1960 are obsolete because that Act no longer defines the expression "director".

Section 81(2) of the Land Compensation (Scotland) Act 1973 is a spent provision which required an earlier Act of that year to be reprinted as amended.

The repeals proposed to the House of Commons Disqualification Act 1975 and the Northern Ireland Assembly Disqualification Act 1975 are consequential, in each case, on the partial repeal already made of one of the scheduled entries; and, on the next annual reprinting of the Act, would enable the remaining words in the entry to be repositioned in alphabetical order.

SCHEDULE 2
AMENDMENTS

PART I

The amendments proposed in this Part are connected with the repeals relating to alcoholism proposed in Part II of Schedule 1 to the Bill. None of the amendments will extend to Northern Ireland, since the enactments being amended are not in force there.

The Inebriates Act 1898

The First Schedule to the Inebriates Act 1898, as amended, contains a list of drunkenness offences created by other Acts which it is proposed to preserve because section 6 of the Licensing Act 1902, section 71 of the Licensing (Scotland) Act 1903 and section 160 of the Licensing (Scotland) Act 1959 legislate by reference to this list. The amendment proposed would insert in section 30 of the 1898 Act a reference to the later enactments to which the list is relevant.

The Licensing Act 1902

Section 6 of the Licensing Act 1902 (which applies only to England and Wales) provides for black lists of habitual drunkards to whom it is an offence to supply intoxicating liquor within local areas. The circumstances in which a black list order can be made are not directly specified but are related to the power of a court to make an order of detention in an inebriate reformatory under section 1 or 2 of the Inebriates Act 1898.

The black list procedure is scarcely used nowadays and its value was doubted even in 1902, mainly on the ground that a black list order is easily evaded. However, the statistics indicate that orders are still occasionally made by magistrates' courts and for this reason we consider that the repeal of section 6 of the Licensing Act 1902 could not appropriately be undertaken by this Bill.

The amendment proposed would therefore substantially preserve the present position by re-enacting (with minor modifications designed to simplify the law) the circumstances governing the making of a black list order which are now specified in section 2 of the Inebriates Act 1898. It is not recommended that the circumstances specified in section 1 of that Act should be re-enacted since we do not believe that the powers under that section are still of practical utility.

The Licensing (Scotland) Act 1903

Section 73 of the Licensing (Scotland) Act 1903, which makes habitual drunkenness a ground for divorce, legislates by reference to the definition of "habitual drunkard" contained in section 3 of the Habitual Drunkards Act 1879. The amendment proposed would transfer the definition to the 1903 Act.

PART II

The amendments to the Civil Defence Act 1939 (Schedule 1 Part V), the Enemy Property Act 1953 (Schedule 1 Part XX), the Miscellaneous Financial Provisions Act 1955 (Schedule 1 Part XI) and the Protection of Birds Act 1967 (Schedule 1 Part III) are textual alterations of a minor nature consequential on repeals proposed in the Parts of Schedule 1 referred to in this paragraph.

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