Land Law (Miscellaneous Provisions) Act (Northern Ireland) 1932 [F1]

1932 CHAPTER 16

An Act to make provision with respect to the administration of certain matters by the Ministry of Finance in pursuance of the powers transferred to that Ministry from the Irish Land Commission, and to amend further the law relating to tithe rent-charge and variable rents. [7th June 1932]

F1 functions transf. by 1982 NI 6

1 Distribution of proceeds of sales of holdings by Department of Finance.

(1) Where the Ministry of Finance (in this Act referred to as "the Ministry") causes a holding to be sold under any of the powers vested in the Ministry by the Land Purchase Acts, the Ministry shall apply the proceeds derived from such sale (in this section referred to as "the proceeds of the sale") in accordance with the following provisions of this section.

(2) The proceeds of the sale shall be credited to a separate account in the books of the Ministry, and shall be applied in payment, in the first instance, of all moneys certified to be due to the Ministry in respect of the holding, and of all costs and expenses incurred by the Ministry in relation to the sale or the distribution of the proceeds of the sale or otherwise in relation to the holding.

(3) The balance of the proceeds of the sale shall be paid to the persons who may be determined under the provisions of the Schedule to this Act to be entitled to the said balance.

(4) Where the person determined as aforesaid to be entitled to the balance, or a part of the balance, of the proceeds of the sale is a minor or of unsound mind or otherwise under legal disability—

(a) if the amount to which such person is entitled does not exceed fifteen pounds, the Ministry may pay the amount to his guardian or committee, or, if there is no such guardian or committee, then to any person as a trustee for the person under legal disability, upon the giving of such undertaking to apply the amount

Changes to legislation: *There are currently no known outstanding effects for the Land Law (Miscellaneous Provisions) Act (Northern Ireland) 1932. (See end of Document for details)*

received for the benefit of the person under legal disability as the Ministry may require;

(b) if the amount to which such person is entitled exceeds fifteen pounds, the Ministry shall pay the amount into the county court to be administered for the benefit of the person entitled to the same.

(5) The determination, in accordance with the provisions of the Schedule to this Act, of the persons entitled to the balance of the proceeds of the sale, and any decision or order under sub-section (4) of this section, shall be conclusive and binding on all persons:

Provided that any person claiming to be entitled to such balance or a part thereof may appeal to the county court from such determination, and the determination of the county court on such appeal shall be final.

Subs. (6) rep. by 1959 c. 25 (NI)

(7) All payments of the balance of the proceeds of any such sale as aforesaid made by the Ministry before the twenty-third day of April, nineteen hundred and thirty-two, shall be deemed to have been made in pursuance of a final determination or decision under this section.

(8) Sub-section (3) of section thirty of the Land Law (Ireland) Act, 1881 , and sub-section (4) of section thirty-eight of the Land Law (Ireland) Act, 1896 , are hereby repealed as respects sales of holdings under this section.

[F2 (9) Where—

(a) any balances to credit in respect of the proceeds of sale of holdings under any of the powers vested in the Ministry by the Land Purchase Acts shall have remained dormant or unclaimed in the hands of the Ministry for a period of fifteen years at least before the first day of January then last past, the Ministry may direct that such balances shall be transferred to the Exchequer;

(b) the Ministry is satisfied that any person making a claim in that behalf is entitled to any payment in respect of the sums transferred to the Exchequer under this sub-section, the Ministry may issue to that person out of the Consolidated Fund such sum as may appear to it to be necessary to provide for the said payment.]

F2 1955 c.19 (NI)

2 Authentication of seal of Department of Finance on certificates of sum due.

(1) Where a certificate under the seal of the Ministry is required for the purposes of section forty-nine of the Landlord and Tenant (Ireland) Act, 1870 M1, or of section twenty or section twenty-eight of the Land Law (Ireland) Act, 1887 M2, that seal may, notwithstanding any provision of the[F3 Departments (Northern Ireland) Order 1999]F3, be authenticated by the signature of any of such officers of the Ministry as may be authorised by the Minister of Finance to authenticate that seal in such circumstances as the said Minister may specify.

(2) Any authority given by the Minister of Finance under this section shall be published in the Belfast Gazette, and the production of a copy of that Gazette purporting to be printed under the authority of the officer for the time being appointed to print the Acts of the Parliament of Northern Ireland, and containing the publication of the authority given by the said Minister, shall be conclusive evidence of the giving thereof.

F3 1999 NI 1

Marginal Citations
M1 1870 c. 46
M2 1887 c. 33

3 Amendment of s.1 of 1930 c.22 (20 & 21 Geo. 5) etc., as to tithe rentcharge and variable rents.

(1) Where any tithe rentcharge or variable rent is payable to some person other than the Ministry, the sum payable in respect of every gale thereof accruing due after the first day of May, nineteen hundred and thirty-two, shall be deemed to be varied from the amount at which it stood on the first day of November, nineteen hundred and thirty, by being reduced by eight per cent., and shall be payable accordingly; and no tithe rentcharge or variable rent payable to any such person shall be varied except in accordance with this section.

(2) The following enactments are hereby repealed:

So much of the Tithe Rentcharge (Ireland) Act, 1900 [M3], as relates to the variation of tithe rentcharges and variable rents;

Section ninety of the Irish Land Act, 1903 [M4];

Sub-section (2) of section one of the Tithe Rentcharge and Variable Rents Act (Northern Ireland), 1930 [M5], except as respects any agreements entered into under that sub-section before the date of the passing of this Act.

(3) In this section the expressions "tithe rentcharge" and "variable rent" mean respectively a tithe rentcharge to which the provisions of the Tithe Rentcharge (Ireland) Act, 1900, would, but for this section, apply, and a variable rent to which those provisions, as extended by section ninety of the Irish Land Act, 1903, would, but for this section, apply.

Marginal Citations
M3 1900 c.58
M4 1903 c. 37
M5 1930 c. 22 (20 and 21 Geo. 5)

4 Short title.

This Act may be cited as the Land Law (Miscellaneous Provisions) Act (Northern Ireland), 1932.