

ANNO TERTIO

GEORGII IV. REGIS.

CAP. CXVII.

An Act to reduce the Stamp Duties on Reconveyances of Mortgages, and in certain other Cases; and to amend an Act of the last Session of Parliament, for removing Doubts as to the Amount of certain Stamp Duties in *Great Britain* and *Ireland* respectively. [5th *August* 1822.]

Duties under 55G.3.c.184. on Transfer of Mortgages in Great Britain.

Duties under 56 G. 3. c.56. on Transfer of Mortgages and Bankers Notes in Ireland.

WHEREAS by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repealing the Stamp Duties on Deeds, Law Proceedings, and other written or printed Instruments, and the Duties on Fire Insurances, and on Legacies and Successions to Personal Estates upon Intestacies, now payable in* Great Britain, *and for granting other Duties in lieu thereof;* and by an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal the several Stamp Duties in* Ireland; *and also several Acts for the Collection and Management of the said Duties, and to grant new Stamp Duties in lieu thereof, and to make more effectual Regulations for collecting and managing the said Duties;* and by the Schedules to the said Acts respectively annexed, certain *ad valorem* Duties and other Duties were imposed on any Transfer, Assignment, Disposition, Assignation, or Reconveyance of any Mortgage or Wadset, or other such Security as in the said Acts, and the Schedules thereto annexed, are mentioned, specified, and contained; and by the said Act of the Fifty-sixth Year aforesaid, and the said Schedule thereto annexed, a Duty of Three-pence was also imposed on every Promissory Note, whether in the Form of a Bank Note, Bank Post Bill, or otherwise,

wise, issued by the Governor and Company of the Bank of *Ireland*, or by any registered Banker or Bankers in *Ireland*, where the Sum therein expressed should not amount to Five Pounds: And whereas it is expedient that the said several Duties should be repealed, and that other Duties should be granted in lieu thereof, in manner hereinafter mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That from and after the Expiration of Ten Days after the passing of this Act, the said several Duties hereinbefore mentioned shall be and the same are hereby repealed; save as to the raising, receiving, allowing or paying any Arrears of the said Duties under the said Acts or either of them respectively; and save as to any Proceedings commenced or to be commenced in any Court, Civil or Criminal, or otherwise, against any Person or Persons for or by reason of any Fine, Penalty or Forfeiture, or Punishment, for or in respect of any Crime or Offence committed or to be committed before the Expiration of Ten Days next after the passing of this Act, in anywise relating to the Collection or Management of the said Duties so repealed.

Duties hereinbefore mentioned, repealed, except as to the Recovery of Arrears, &c.

New Duties:

II. And be it further enacted, That from and after the Expiration of Ten Days next after the passing of this Act, in lieu and instead of the Duties by this Act repealed, there shall be granted, raised, levied, collected, and paid in *Ireland*, unto His Majesty, His Heirs and Successors, the several Sums of Money and Duties following; that is to say, upon any Transfer, Assignment, Disposition, Assignation, or Reconveyance of any Mortgage, or of any other Security in the said Acts, and the Schedules thereto annexed, in that respect severally mentioned, or of the Benefit thereof, or of the Money or Stock thereby secured, provided no further Sum of Money or Stock be added to the Principal Money or Stock already secured, there shall be paid in *Great Britain* a Stamp Duty of One Pound Fifteen Shillings, and in *Ireland* a Stamp Duty of One Pound *British* Currency, for the First Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which such Transfer, Assignment, Disposition, Assignation, or Reconveyance shall be ingrossed, written, or printed; and where any such Transfer or Assignment, Disposition or Assignation, in *Great Britain*, hereby charged with a Duty of One Pound Fifteen Shillings, together with any Schedule, Receipt, or other Matter put or indorsed thereon, or annexed thereto, shall contain Two thousand one hundred and sixty Words or upwards, then for every entire Quantity of One thousand and eighty Words contained therein, over and above the First One thousand and eighty Words, there shall be paid a further progressive Duty of One Pound Five Shillings; and for every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper beyond the First, upon which any such Transfer, Assignment, or Reconveyance shall be ingrossed, written, or printed in *Ireland*, there shall be paid the Sum of Ten Shillings *British* Currency; and if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured, the *ad valorem* Duty on Mortgages, payable under the said recited Acts respectively, shall be

On Transfers of Mortgages in Great Britain and Ireland:

charged only in respect of such further Money or Stock; and that upon every Promissory Note, whether in the Form of a Bank Note, Bank Post Bill, or otherwise, which shall be issued by the Governor and Company of the Bank of *Ireland*, or by any Banker or Bankers in *Ireland*, who shall have registered his or their Name or Names, or Firm, in Manner directed by Law, where the Sum therein expressed shall not amount to Five Pounds, there shall be paid the Sum of One Penny Halfpenny *Irish* Currency, and no more.

On Bankers Notes under 5*l.* in Ireland.

III. And be it further enacted, That where any Deed or other Instrument already made or hereafter to be made as an additional or further Security for any Sum or Sums of Money, or any Share or Shares in any of the Government or Parliamentary Stocks or Funds, or in the Stock and Funds of the Governor and Company of the Bank of *England* or of the Bank of *Ireland*, already or previously secured by any Bond on which the *ad valorem* Duty on Bonds, charged by the said recited Acts of the Fifty-fifth and Fifty-sixth Years of the Reign of His said late Majesty, and the Schedules thereto respectively annexed, shall have been paid, such Deed or other Instrument shall be and be deemed to be and to have been exempt from the several *ad valorem* Duties charged by the said Acts, and the said Schedules respectively, on Mortgages, and shall be charged and chargeable only with the ordinary Duty payable on Deeds in general, in *Great Britain* and *Ireland* respectively; but if any further Sum of Money or Stock shall be added to the Principal Money or Stock already secured, the said *ad valorem* Duties respectively shall be charged in respect of such further Sum of Money or Stock; and if necessary for the Sake of Evidence, the Deeds and Instruments hereby exempted from the said *ad valorem* Duties shall be stamped with a particular Stamp for denoting or testifying the Payment of the *ad valorem* Duty upon all the Deeds and Instruments relating to the particular Transaction, provided such Deeds and Instruments shall be produced at the Stamp Office in *London* or *Dublin* (as the Case may require), and shall appear to be duly stamped with the Duties to which they are liable.

For exempting Mortgages from ad valorem Stamps in Cases where the ad valorem Bond Duty shall have been previously paid in Great Britain and Ireland.

IV. And whereas by the said Acts of the Fifty-fifth and Fifty-sixth Years of the Reign of His said late Majesty, and by the Schedules thereto respectively annexed, certain *ad valorem* Duties are payable upon every Grant or Appointment by His Majesty, His Heirs or Successors, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or by any other Person or Persons, Body Politic or Corporate, of or to any Office or Employment by Letters Patent, Deed, or other Writing: And whereas it frequently happens that Persons holding such Offices or Employments in His Majesty's Customs in *Great Britain* and *Ireland* respectively, are promoted from one Office to another, and the Grants on such Promotions are chargeable with the whole of the *ad valorem* Duty now payable upon the Appointment to each Office respectively; and it is expedient that upon the Promotion of any Person from any Office or Employment in His Majesty's Customs in *Great Britain* and *Ireland* respectively, in respect of which he shall have once paid the *ad valorem* Duty, to any other Office or Employment therein, the *ad*

Ad valorem Duties on Appointments of Custom House Officers advanced to superior Offices shall be payable only in respect of increased Salary, &c. in Great Britain and Ireland respectively.

ad valorem Duty should not be calculated upon the whole of the Salary, Fees, or Emoluments appertaining to the Office or Employment to which he shall be promoted, but only to the Increase gained by such Promotion; be it therefore enacted, That in all such Cases of Promotion as aforesaid, the *ad valorem* Duty shall be paid and payable on the Appointment to which such Officer shall be promoted, in respect of the Increase only of such Salary, Fees, and Emoluments, above the Salary, Fees, and Emoluments of the Office or Employment, from which the Party promoted shall have been removed, unless the Amount of such Increase shall be equal in Amount to the original Salary; and in that Case, the full *ad valorem* Duty shall be paid on such Appointment, as is payable under and by virtue of the said Acts respectively.

Part of Act of 1 & 2 G. 4. c. 55. repealed as to Ireland.

V. And whereas by an Act made in the last Session of Parliament, intituled *An Act to remove Doubts as to the Amount of Stamp Duties to be paid on Deeds and other Instruments under the several Acts in force in* Great Britain *and* Ireland *respectively*, it is, amongst other things provided, that any Deed, Agreement, or other Instrument duly stamped pursuant to the said Act, shall not be liable to any Stamp Duty by reason of the same also containing any Covenant, Agreement, or Obligation for the Payment of any Sum or Sums of Money, at whatever Place such Money may be made payable, or may by Law be payable; and it is expedient to repeal the said Provision in manner herein-after contained; be it therefore enacted, That the said recited Provision shall be and the same is hereby repealed, so far as relates to any such Covenant, Agreement, or Obligation for the Payment of any Money which, either by Law, or by the Terms of such Covenant, Agreement, or Obligation, shall be payable in *Ireland*.

Duties to be under the Management of the Commissioners of Stamps.

VI. And be it further enacted, That the Duties hereby granted shall be under the Management of the Commissioners for the Time being for managing the Duties on stamped Vellum, Parchment, and Paper in *Great Britain* and *Ireland* respectively; and that all the Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, Pains and Penalties, contained in and imposed by the several Acts relating to His Majesty's Stamp Duties in *Great Britain* and *Ireland* respectively, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged or chargeable therewith, shall, so far as the same are or shall be applicable, be of full Force and Effect, and be observed, applied, enforced, and put in Execution for raising, levying, collecting, securing, and applying the Duties hereby granted, and otherwise relating thereto, as far as the same are not repealed, or shall not be superseded by or inconsistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duties hereby granted.

Extending Powers of former Acts to this Act.

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