



Civil Aviation Act 1971

1971 CHAPTER 75

PART I

THE CIVIL AVIATION AUTHORITY

Transfer and use of property etc.

16 Rights granted to the Authority over land to bind grantor's successors

- (1) Subject to the provisions of this section, where any person having an interest in land (hereafter in this subsection referred to as " the grantor ") grants or agrees to grant to the Authority any right (whether in perpetuity or for any other period and whether capable of subsisting as a legal estate or not) in or in relation to the land (including a right to enter upon the land, a right to carry out and maintain works on the land, a right to instal or maintain structures or apparatus on, under, over or across the land, and a right restrictive of the user of the land), the grant or agreement shall be binding upon any person deriving title or otherwise claiming under the grantor to the same extent as it is binding upon the grantor, notwithstanding that it would not have been binding upon that person apart from the provisions of this subsection.
- (2) A right in or in relation to land in England or Wales granted or agreed to be granted to the Authority shall not be enforceable by virtue of the preceding subsection against a purchaser for money or money's worth of a legal estate in any land to which the grant or agreement in question relates unless before the completion of the purchase the grant or agreement has been registered in the prescribed manner in the register of local land charges of the local authority in whose area the land, or any part of the land, to which the grant or agreement relates is situated.
- (3) The power conferred by subsection (6) of section 15 of the Land Charges Act 1925 to make rules for giving effect to the provisions of that section shall be exercisable for giving effect to the preceding subsection; and in that subsection " prescribed " means prescribed by rules made in the exercise of that power.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) In subsection (2) of this section " local authority " means the council of a county district, county borough or London borough and the Common Council of the City of London, and " purchaser " has the same meaning as in the said Act of 1925.
- (5) A grant or agreement made as respects land in Scotland shall not be enforceable by virtue of subsection (1) of this section against a third party who shall have in good faith and for value acquired right (whether completed by infestment or not) to the land prior to the grant or agreement being recorded in the Register of Sasines, or against any person deriving title from such third party; and in the application of the said subsection (1) to Scotland for the reference to a legal estate there shall be substituted a reference to an estate.
- (6) A right in or in relation to land in Northern Ireland granted or agreed to be granted to the Authority shall not be enforceable by virtue of subsection (1) of this section against a purchaser for money or money's worth of any estate or interest in the land to which the grant or agreement in question relates unless before the completion of the purchase the grant or agreement is registered in the Statutory Charges Register pursuant to Part X of the Land Registration Act (Northern Ireland) 1970; and accordingly—
- (a) such a grant or agreement shall be included among the matters which are required to be registered in that Register ; and
 - (b) the following paragraph shall be added at the end of Schedule 11 to the said Act of 1970, that is to say—
- “(24) A grant or agreement referred to in section 16(6) of the Civil Aviation Act 1971”.