

SCHEDULES

SCHEDULE 9

ORDERS VESTING LAND IN HOUSING ACTION TRUSTS

PART I

PROVISIONS SUPPLEMENTING SECTION 76(1) TO (3)

- 1 In this Part of this Schedule “the principal section” means section 76 of this Act.
- 2 (1) In the principal section and paragraph 3 below, “statutory undertakers” and “statutory undertaking” shall be construed in accordance with paragraph 4 below.
- (2) In the principal section and the following provisions of this Part of this Schedule, “wholly-owned subsidiary” has the meaning given by section 736 of the Companies Act 1985.
- 3 (1) In subsection (3) of the principal section the reference to the Secretary of State and the appropriate Minister—
- (a) in relation to statutory undertakers who are also statutory undertakers for the purposes of any provision of Part XI of the Town and Country Planning Act 1971, shall be construed as if contained in that Part; and
- (b) in relation to any other statutory undertakers shall be construed in accordance with an order made by the Secretary of State.
- (2) If, for the purposes of subsection (3) of the principal section, any question arises to which Minister is the appropriate Minister in relation to any statutory undertakers, that question shall be determined by the Treasury.
- 4 In the principal section and, except where the context otherwise requires, in paragraph 3 above “statutory undertakers” means—
- (a) persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of electricity, hydraulic power or water;
- (b) British Shipbuilders, the British Steel Corporation, the Civil Aviation Authority, the British Coal Corporation, the National Enterprise Board, the Post Office and any other authority, body or undertakers which, by virtue of any enactment, are to be treated as statutory undertakers for any of the purposes of the Town and Country Planning Act 1971;
- (c) any other authority, body or undertakers specified in an order made by the Secretary of State; and
- (d) any wholly-owned subsidiary of any person, authority, body or undertakers mentioned in sub-paragraphs (a) and (b) above or specified in an order made under sub-paragraph (c) above;
- and “statutory undertaking” shall be construed accordingly.

Status: This is the original version (as it was originally enacted).

- 5 An order under any provision of this Part of this Schedule shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.