

SCHEDULES

SCHEDULE 9

GENERAL TRANSITIONAL PROVISIONS

- 17 (1) No steps shall be taken for the enforcement of a building law with respect to works on land that vests in the Post Office by virtue of section 16 of this Act, being works begun before the appointed day, or with respect to works on land begun by the Post Office before the expiration of six months beginning with that day; nor shall any proceedings for the recovery of a fine or other penalty be brought against the Post Office for having carried out or retained any such works as aforesaid which do not comply with a building law.
- (2) In the foregoing sub-paragraph, " building law" means any obligation or restriction as to the construction, nature or situation of works on land or as to any other circumstances of such works (including the use of the land) having effect by virtue of—
- (a) section 17 of the Restriction of Ribbon Development Act 1935;
 - (b) an enactment contained in Part II or IV of the Public Health Act 1936 or Part II of the Public Health Act 1961 or byelaws or regulations made under an enactment so contained;
 - (c) the London Building Acts 1930 to 1939 or byelaws made thereunder;
 - (d) the Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder;
 - (e) section 72, 73, 74, 75, 81 or 159 of the Highways Act 1959;
 - (f) paragraph 13, 15 or 18 of Part III of Schedule 9 to the London Government Act 1963 or byelaws made under paragraph 6 of that Part of that Schedule; or
 - (g) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws made under any enactment contained in a local Act so made;
- and " works " includes any building, structure, excavation or other work on land.
- (3) Any reference in this paragraph to non-compliance with a building law means, in relation to any works on land, that the construction, nature or situation of the works or any other circumstances thereof (including the use of the land) are such either that the works do not comply with the building law in question or that, by virtue of that law, the rejection of plans for the works is expressly required or authorised.
- (4) Any reference in this paragraph to the enforcement of a building law shall be construed as a reference to securing (whether by the doing of work on land or the requiring, by injunction or otherwise, that some other person shall do work on land) that works on land not complying with the building law in question shall either be demolished or removed or be altered so as to comply therewith.
- (5) In the application of this paragraph to Scotland, the following shall be substituted for heads (a) to (g) of sub-paragraph (2):—

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

- “(a) an enactment contained in the Burgh Police (Scotland) Acts 1892 to 1903 or under the Public Health (Scotland) Act 1897 or byelaws made under any such enactment;
- (b) the Roads Improvement Act 1925;
- (c) section 17 of the Restriction of Ribbon Development Act 1935;
- (d) section 53 of the Water (Scotland) Act 1946;
- (e) the Thermal Insulation (Industrial Buildings) Act 1957 or regulations made thereunder;
- (f) the Building (Scotland) Act 1959 or regulations made thereunder;
- (g) the Sewerage (Scotland) Act 1968;
- (h) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws made under any enactment contained in a local Act so made; or
- (i) any enactment or rule of the common law conferring powers on a dean of guild court”.

(6) In the application of this paragraph to Northern Ireland, the following shall be substituted for heads (a) to (g) of sub-paragraph (2):—

- “(a) section 9 of the Summary Jurisdiction (Ireland) Act 1851;
- (b) an enactment contained in the Public Health Acts (Northern Ireland) 1878 to 1967 or byelaws made under an enactment so contained;
- (c) an enactment contained in the Housing Acts (Northern Ireland) 1890 to 1967;
- (d) the Roads Improvement Act (Northern Ireland) 1928; or
- (e) any enactment contained in a local Act made for purposes similar to the purposes of any of the aforesaid enactments or any byelaws or orders made under any enactment contained in a local Act so made”.