



Regional Development Agencies Act 1998

1998 CHAPTER 45

PART I

REGIONAL DEVELOPMENT AGENCIES

Vesting and acquisition of land

19 Vesting of land by order.

- (1) The Secretary of State may, in relation to land in England, by order made by statutory instrument provide that land specified in the order which is vested in a local authority or other public body or in a wholly-owned subsidiary of a public body shall vest in a regional development agency.
- (2) An order under subsection (1) may not specify land vested in statutory undertakers which is used for the purpose of carrying on their statutory undertakings or which is held for that purpose.
- (3) In the case of land vested in statutory undertakers, the power to make an order under subsection (1) shall be exercisable by the Secretary of State and the appropriate Minister.
- (4) The reference in subsection (3) to the Secretary of State and the appropriate Minister shall—
 - (a) in relation to statutory undertakers who are or are deemed to be statutory undertakers for the purposes of any provision of Part XI of the ^{M1}Town and Country Planning Act 1990, be construed as if contained in that Part, and
 - (b) in relation to any other statutory undertakers, be construed in accordance with an order made by the Secretary of State by statutory instrument.
- (5) If, for the purposes of subsection (3), any question arises as to which Minister is the appropriate Minister in relation to any statutory undertakers, that question shall be determined by the Treasury.

Status: Point in time view as at 25/11/1998. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Regional Development Agencies Act 1998, Section 19. (See end of Document for details)

- (6) An order under subsection (1) shall have the same effect as a declaration under the ^{M2}Compulsory Purchase (Vesting Declarations) Act 1981 except that, in relation to such an order, the enactments mentioned in Schedule 4 shall have effect subject to the modifications specified there.
- (7) Compensation under the ^{M3}Land Compensation Act 1961, as applied by subsection (6) and Schedule 4, shall be assessed by reference to values current on the date the order under subsection (1) comes into force.
- (8) No compensation is payable under Part IV of the ^{M4}Land Compensation Act 1961 by virtue of an order under subsection (1).
- (9) No order under subsection (1) shall be made unless a draft of the order has been laid before and approved by resolution of each House of Parliament.
- (10) In this section—
- “local authority” also includes a county borough council and a parish council;
- “statutory undertakers”, except where the context otherwise requires, 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 hydraulic power,
 - (b) a relevant airport operator (within the meaning of the ^{M5}Airports Act 1986),
 - (c) British Shipbuilders, the Civil Aviation Authority and the Post Office,
 - (d) any other authority, body or undertakers specified in an order made by the Secretary of State by statutory instrument, and
 - (e) any wholly-owned subsidiary of any person, authority or body mentioned in paragraphs (a) to (c) or of any authority, body or undertakers specified in an order under paragraph (d),
- and “statutory undertaking” shall be construed accordingly;
- “wholly-owned subsidiary” has the meaning given by section 736 of the ^{M6}Companies Act 1985.
- (11) A statutory instrument containing an order under subsection (4) or (10) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Commencement Information

- II** S. 19 wholly in force at 3.7.2000; s. 19 not in force at Royal Assent see s. 43; s. 19 in force for certain purposes at 25.11.1998 by S.I. 1998/2952, art. 2(2); s. 19 in force at 3.7.2000 in so far as not already in force by S.I. 2000/1173, art. 2(2)(c)
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Marginal Citations

- M1** 1990 c. 8.
M2 1981 c. 66.
M3 1961 c. 33.
M4 1961 c. 33.
M5 1986 c. 31.

Status: Point in time view as at 25/11/1998. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Regional Development Agencies Act 1998, Section 19. (See end of Document for details)

M6 1985 c. 6.

Status:

Point in time view as at 25/11/1998. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Regional Development Agencies Act 1998, Section 19.