
Status: This is the original version (as it was originally enacted).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

SCHEDULES

FOURTEENTH SCHEDULE

FURTHER SAVINGS AND TRANSITIONAL PROVISIONS

PART V

PROVISIONS RELATING TO PART V OF ACT

Consent of Minister to acquisition, appropriation or disposal of land

21 Nothing in Part I of this Schedule shall be construed as validating any transaction whereby a local authority purported, in the exercise of a power conferred by an enactment repealed by this Act, but without the consent of a Minister then required by that enactment.—

- (a) to acquire land by agreement in pursuance of a contract made before the sixteenth day of August, nineteen hundred and fifty-nine, or
- (b) to appropriate or dispose of land before that day,

notwithstanding that the transaction could have been validly effected without that consent under the corresponding provisions of Part V of this Act.

Land acquired, or authorised to be acquired, under Part IV of Act of 1947

22 (1) The repeal shall not affect the validity of any order authorising the compulsory acquisition of any land—

- (a) under subsection (2) of section thirty-seven of the Act of 1947 (which enabled the Minister of Works or the Postmaster General, during the period before a development plan had become operative with respect to any area, to be authorised in certain circumstances to acquire land compulsorily);
- (b) under subsection (2) of section thirty-eight of that Act (which enabled certain local authorities, during any such period, to be authorised in certain circumstances to acquire land compulsorily); or
- (c) under subsection (3) of the said section thirty-eight in a case where the power conferred by that subsection was exercisable in lieu of the exercise of the power conferred by subsection (2) thereof,

or of any notice served or other thing done in pursuance of any such order.

(2) The provisions of Part V of this Act shall have effect in relation to any land acquired, or authorised to be acquired, in pursuance of any such order as is mentioned in the preceding sub-paragraph as if—

- (a) in the case of land acquired, or authorised to be acquired, by a Minister, the land had been acquired, or authorised to be acquired, by that Minister under section sixty-seven ;

*Status: This is the original version (as it was originally enacted).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

- (b) in the case of land acquired, or authorised to be acquired, by a local authority, the land had been acquired, or authorised to be acquired, by that local authority under section sixty-eight.
- 23 Section eighty-one shall have effect in relation to land acquired by the Central Land Board under section forty-three of the Act of 1947 as it has effect in relation to land acquired by a local authority for planning purposes (as defined by subsection (1) of section eighty-seven).
- 24 For the purposes of the construction, in accordance with Part I of this Schedule, of subsections (4) and (5) of section eighty-four, any land acquired by the Central Land Board under Part IV of the Act of 1947 shall be treated as if it had been acquired thereunder by the Minister; and, in relation to land so acquired, the powers conferred by those subsections shall be exercisable by the Minister accordingly.
- 25 In accordance with Part I of this Schedule, the reference in subsection (1) of section eighty-seven to the acquisition of land under section sixty-eight or section seventy-one includes a reference to the acquisition of land under section thirty-eight or section forty of the Act of 1947 ; and the reference in that subsection to the appropriation of land for purposes for which land can be acquired under section sixty-eight or section seventy-one is a reference to -the appropriation of land for those purposes whether before or after the commencement of this Act.
- 26 The repeal shall not affect the operation of subsection (6) of section forty-three of -the Act of 1947 (which enabled provision to be made by regulations for the keeping of a register of land acquired and disposed of by the Central Land Board) or of any regulations made thereunder, as modified by the Order in Council made under section sixty-three of the Act of 1954 (which provided for the dissolution of the Central Land Board), in so far as that subsection or any such regulations, as so modified, would have had effect if this Act had not been passed.