



# Defence of the Realm (Acquisition of Land) Act 1920

1920 CHAPTER 79

## **3 Provision as to acquisition and possession of land under the principal Act.**

(1) It is hereby declared that—

- (a) the power of acquiring land or interest in land conferred by section three of the principal Act authorises, and shall be deemed always to have authorised, such acquisition for the purposes of resale, in cases when such resale is required with a view to the realisation to the best possible advantage of the value of buildings and works erected, executed, or constructed wholly or partly at the expense of the State, or of any State which acted in alliance or in naval or military co-operation with His Majesty during the war, or when for any other reason it appears expedient in the financial interests of the State or of such State that the acquisition for such purposes should be authorised: Provided that nothing in this subsection shall interfere with the right of pre-emption conferred by section five of the principal Act as amended by , section two of this Act:
- (b) the expressions " Government department in possession " and " occupying department," where used in the principal Act and this Act mean, and shall be deemed always to have meant, the Government department for the time being in possession of land, notwithstanding that the department so in possession is not the department by which or on whose behalf possession was originally taken, but is in possession by virtue of a transfer from the said department or from some other department to which possession has subsequently been transferred:
- (c) where the occupying department has created or purported to create any tenancy or other interest in the land of which it is in possession in favour of some other person, or has allowed any other person " to use or occupy that land, the occupying department shall, for the purposes of the principal Act and this Act,' be deemed to have continued in possession of the land, notwithstanding the interest therein of, or the use or occupation thereof by, such other person :

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*Status: This is the original version (as it was originally enacted).*

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- (d) the possession by an occupying department shall be deemed not to have been affected or prejudiced by reason of the land or any part thereof at any time ceasing or having ceased to be used for the purpose for which possession thereof was originally taken, or otherwise being or having been used for any other purpose:
  - (e) subsection (4) of section one of the principal Act shall not be construed as limiting the power of one Government department to transfer possession of land to another Government department during the continuance of the present war.
- (2) A Government department in possession of land under a lease or tenancy granted or created prior to the commencement of the present war shall have the like power of removing any building or other work which, for purposes connected with the present war, has been erected or constructed on, over, or under that land wholly or partly at the expense of the State as is conferred by section two of the principal Act on an occupying department, and this power shall be exerciseable notwithstanding any provision of the lease or tenancy under which the land is held, and paragraph (b) of the first proviso to subsection (1) of section two of the principal Act shall not apply to any such provision.