



Defence of the Realm (Aquisition of Land) Act 1916

1916 CHAPTER 63 6 and 7 Geo 5

5 Power to sell land acquired under Act.

- (1) Where any land or any interest therein has by virtue of this Act been acquired by any Government department, the department may at any time thereafter sell, lease, or otherwise dispose of the land or interest.
- (2) Where any such land is disposed of, then on the execution and delivery to the purchaser by the Government department concerned of the necessary or proper assurance of the land disposed of, the purchaser shall notwithstanding any defect in the title of such Government department thereto stand possessed thereof for such estate or interest as may be expressed or intended to be assured to him, freed and absolutely discharged (save as in the assurance may be expressed) from all prior estates, interests, rights, and claims therein or thereto:
Provided that if at any time after such disposition any such prior estate, interest, right, or claim as aforesaid is established by the person entitled thereto, there shall be paid to such person compensation to be determined in manner provided by the Lands Clauses Acts, as modified by this Act, with respect to interests in lands which by mistake have been omitted to be purchased.
- (3) Before any Government department sell any land so acquired or interest therein they shall, unless such land is land upon which buildings of a permanent nature have been erected wholly or partly at the expense of the State or at the request of, or by arrangement with, any Government department, or is land used in connection with such buildings, first offer to sell the same to the person then entitled to the lands (if any) from which the same were originally severed . . . ^{F1}
- (4) If any such persons be desirous of purchasing such lands, then within six weeks after such offer they shall signify their desire in that behalf to the Government department concerned, or if they decline such offer, or if for six weeks they neglect to signify their desire to purchase such lands, the right of pre-emption of every such person so declining or neglecting in respect of the lands included in such offer shall cease.

Changes to legislation: There are currently no known outstanding effects for the Defence of the Realm (Acquisition of Land) Act 1916, Section 5. (See end of Document for details)

- (5) If any person entitled to such pre-emption be desirous of purchasing any such lands and such person and the Government department concerned do not agree as to the price thereof, or other consideration therefor, then such price or other consideration shall be determined in manner provided by this Act.
- (6) The provisions of the last three foregoing subsections shall apply in the case of a lease of land for a term exceeding twenty-one years in like manner as they apply to a sale of land, except where the land is leased for the purpose of the development thereof in connection with any factory, building, camp, or other premises erected or established on land retained by the Government.

Textual Amendments

F1 Words repealed by [Defence of the Realm \(Acquisition of Land\) Act 1920 \(c. 79\), s. 2\(1\)](#)

Modifications etc. (not altering text)

C1 [S. 5\(1\)\(2\)](#) amended by [Defence of the Realm \(Acquisition of Land\) Act 1920 \(c. 79\), s. 1](#)

C2 [S. 5\(3\)–\(6\)](#) amended by [Defence of the Realm \(Acquisition of Land\) Act 1920 \(c. 79\), s. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Defence of the Realm (Aquisition of Land) Act 1916, Section 5.