



Requisitioned Land and War Works Act 1945

1945 CHAPTER 43

PART X

MISCELLANEOUS AND GENERAL.

51 Saving for agreements.

- (1) Where, whether before or after the commencement of this Act and—
 - (a) after the construction of any government war works on any land or with a view to the construction of any government war works on any land, a lease of that land has been granted to a Minister; or
 - (b) in connection with the construction of any government war works on any land, an agreement in writing has, whether during, before or after the time of the construction thereof, been made by or on behalf of any Minister providing for the grant to the Minister of the freehold of, or a leasehold interest in, that land, no Minister shall, by reason only of the construction of the works, be entitled, as against, or as against any successor in title to, the lessor or person who is to be the grantor, as the case may be, to acquire that land or any interest in or rights over that land compulsorily under Part II of this Act.
- (2) Where, whether before or after the commencement of this Act and in connection with the construction of any government war works on any land, an agreement in writing has, whether during, before or after the time of the construction thereof, been made by or on behalf of any Minister with any person then having an interest in that land, which contains either—
 - (a) a specific provision that, on payment of a sum or fulfilment of any other condition by that person, the works should belong to that person permanently; or
 - (b) a provision specifically requiring the removal of the works or the restoration of the land,

Status: This is the original version (as it was originally enacted).

no Minister, local authority or combination of local authorities shall, by reason only of the construction of the works, be entitled as against that person, or as against any successor in title of his to any interest in that land to which he was entitled when the agreement was made, to acquire the land or any interest in or rights over that land compulsorily under Part II or Part V of this Act, if the acquisition thereof would defeat that provision of that agreement.

- (3) Where, whether before or after the commencement of this Act and in connection with the construction of any government war works on any land, an undertaking in writing that the works shall be removed or the land restored has, whether during, before or after the time of the construction thereof, been given by or on behalf of any Minister to any society or body concerned with the preservation of amenities enjoyed by the public or to any local authority, no Minister, local authority or combination of local authorities shall, by reason only of the construction of the works, be entitled to acquire the land or any interest in or rights over that land under Part II or Part V of this Act without the consent of that society or body or authority.
- (4) In determining whether a Minister has power under Part II of this Act to acquire an easement over or right restrictive of the use of any land other than the land referred to in the preceding provisions of this section, the provisions of this section shall be left out of account.