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SCHEDULES

FOURTEENTH SCHEDULE

Section 223.

FURTHER SAVINGS AND TRANSITIONAL PROVISIONS

PART I

GENERAL PROVISIONS

- 1 (1) In so far as any order, regulation, rule, development plan or amendment of a development plan, application, objection, representation, determination, decision, reference, appeal, declaration, agreement, arrangement, claim or apportionment made, payment made or recovered, report or proposal submitted, list or amendment of a list compiled or made, permission granted, consent, approval or authorisation given, certificate, information or direction issued or given, notice or copy served, published or registered, inquiry held, delegation effected, register kept, requirement imposed, or other thing done, under an enactment repealed by this Act could have been made, recovered, submitted, compiled, granted, issued, given, served, published, registered, held, effected, kept, imposed or done under a corresponding provision of this Act, it shall not be invalidated by the repeal, but shall have effect as if made, recovered, submitted, compiled, granted, issued, given, served, published, registered, held, effected, kept, imposed or done under that corresponding provision.
- (2) In relation to any permission which (whether by virtue of an enactment repealed by this Act or otherwise) was deemed to be granted under an enactment repealed by this Act, the preceding sub-paragraph shall have effect as if any reference in that sub-paragraph to permission granted included a reference to permission deemed to be granted.
- (3) Sub-paragraph (1) of this paragraph shall not apply to any regulations or order revoked as from the commencement of this Act in the exercise of the powers conferred by section two hundred and seventeen.
- 2 Where any Act (whether passed before, or in the same Session as, this Act) or any document refers, either expressly or by implication, to an enactment repealed by this Act, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.
- 4 Without prejudice to paragraph 1 of this Schedule, any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or omitted to be done, or to an event which has occurred, under or for the purposes of or by reference to or in contravention of any provisions of this Act shall, except where the context otherwise requires, be construed as including a reference to the corresponding thing done or required or authorised to be done, or omitted, or to the

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corresponding event which occurred, as the case may be, under or for the purposes of or by reference to or in contravention of the corresponding provisions of the enactments repealed by this Act.

5 (1) Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of this Act.

(2) Where an offence, for the continuance of which a penalty was provided, has been committed under an enactment repealed by this Act, proceedings may be taken under this Act in respect of the continuance of the offence after the commencement of this Act, in the same manner as if the offence had been committed under the corresponding provision of this Act.

6 (1) The repeal shall not affect any right to, or claim for, or any liability in respect of, any payment under an enactment to which this paragraph applies ; and any such right, claim or liability shall have effect and may be enforced, and moneys in respect of any such payment shall be applicable or may be raised, in accordance with the provisions of the enactment in question (including the provisions of any other enactment which, immediately before the commencement of this Act, had effect for the purposes of that enactment) as if this Act had not been passed, and any direction or proceedings relating thereto may be given, brought or continued accordingly.

(2) This paragraph applies to the following enactments, that is to say.—

- (a) Parts I and V of the Act of 1954 ;
- (b) subsections (1) to (5) of section fifty-two of that Act;
- (c) the scheme made under section fifty-nine of the Act of 1947 ;
- (d) Part VII of the Act of 1947;
- (e) any other enactment which (if contained in an Act) is not repealed by, and re-enacted (with or without modifications) in, this Act, or (if not contained in an Act) has effect otherwise than by virtue of an enactment so repealed and re-enacted.

(3) Without prejudice to the preceding provisions of this paragraph, any proceedings relating to any such claim as is mentioned in subsection (1) of section eighty-nine may be brought or continued, and shall be determined in accordance with the relevant provisions (that is to say, the provisions of the Act of 1947 and of the First Schedule to the Act of 1954 and any other enactment having effect for the purposes thereof) as if this Act had not been passed.

(4) Sub-paragraph (1) of this paragraph shall have effect in relation to any such right, claim or liability as is therein mentioned notwithstanding that, immediately before the commencement of this Act, the right, claim or liability had not yet accrued or been made or become enforceable, as the case may be:

Provided that, in relation to any such claim which had not been made before the commencement of this Act, so much of that sub-paragraph as provides that the claim shall have effect in accordance with the provisions therein mentioned shall be construed as providing that the claim may be made in accordance with those provisions, and, when made, shall have effect accordingly.

7 (1) Any reference in this Act to an order or scheme made or confirmed under an enactment which is not repealed by, and re-enacted (with or without modifications) in, this Act, shall be construed as a reference to any order or scheme so made or confirmed whether before or after the commencement of this Act.

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- (2) Without prejudice to the preceding sub-paragraph, any reference in this Act to an order or scheme made or confirmed under an enactment contained in the Highways Act, 1959, or under any other such enactment as is mentioned in the preceding sub-paragraph, shall be construed as including a reference to any order or scheme made or confirmed under any corresponding provisions of an enactment repealed by the Highways Act, 1959, or repealed by the other enactment in question, as the case may be.
- 8 In the preceding provisions of this Part of this Schedule, references (however expressed) to things done under enactments repealed by this Act shall be construed as including references to things which, by virtue of paragraph 18 of the Thirteenth Schedule to this Act, are to be treated as if done under the Act of 1947.

PART II

PROVISIONS RELATING TO PART I OF ACT

Transfer of property and officers to local planning authorities

- 9 Nothing in this Act shall affect the operation of any regulations made by virtue of section one hundred and one of the Act of 1947 (which enabled provision to be made by regulations for the transfer of property and officers to local planning authorities and other matters consequential upon or supplementary to section four of that Act) in so far as any such regulations do not have effect in accordance with paragraph 1 of this Schedule.

PART III

PROVISIONS RELATING TO PART III OF ACT

Planning permission

- 10 Subsection (1) of section thirteen applies (subject to the provisions of that section) to the carrying out of development whether before or after the commencement of this Act, except that it does not apply to development carried out on or before the appointed day.
- 11 In sections fifteen and sixteen references to an application for planning permission do not include any application made before the sixteenth day of August, nineteen hundred and fifty-nine.
- 12 Where by virtue of the proviso to subsection (3) of section one of the Town and Country Planning (Amendment) Act, 1951 (which related to works for making good war damage which were begun during the period from the appointed day to the thirteenth day of December, nineteen hundred and fifty) any works were treated, immediately before the commencement of this Act, as if planning permission had been granted unconditionally in respect thereof, those works shall be treated for the purposes of this Act as if planning permission had been so granted in respect thereof.

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Review of planning decisions and orders under Part V of Act of 1954

- 13 For the purposes of paragraph 1 of this Schedule, any direction given under subsection (3) or subsection (4) of section forty-five of the Act of 1954, whether before or (by virtue of paragraph 6 of this Schedule) after the commencement of this Act, as well as any direction given under section twenty-three of that Act, shall be treated as a direction which could have been given under section twenty-five and as having been given under provisions of that Act corresponding to those of section twenty-five.

Maintenance of waste land, etc.

- 14 Subsection (2) of section thirty-six does not apply to any notice served before the twenty-ninth day of August, nineteen hundred and sixty.

Industrial development

- 15 (1) Where an application for planning permission was made before the first day of April, nineteen hundred and sixty, and, by reason that it was made before that day, any provisions of the Local Employment Act, 1960, being provisions corresponding to any of the provisions of sections thirty-eight to forty, did not apply in relation thereto, the corresponding provisions of sections thirty-eight to forty shall not have effect in relation to that application, but without prejudice to the operation, in relation thereto, of any other provisions of those sections.
- (2) For the purposes of the preceding sub-paragraph the definition of “industrial building” in subsection (1) of section two hundred and twenty-one shall be treated as if it were included among the provisions of sections thirty-eight to forty; and where, in accordance with the preceding sub-paragraph, that definition does not apply, “industrial building ” shall have the meaning which was assigned to it by section fifteen of the Distribution of Industry Act, 1945.

Application to determine whether planning permission required

- 16 Notwithstanding anything in subsection (6) of section twenty-two or subsection (7) of section twenty-three as applied by subsection (2) of section forty-three, a decision of the Minister, under any corresponding provisions of the Act of 1947, that any operations or use would constitute or involve development of land, or that an application for planning permission was required in respect thereof, shall not be treated as final for the purposes of any appeal to the court under section twenty-three of the Act of 1947 in relation to those operations or that use.

PART IV

PROVISIONS RELATING TO PART IV OF ACT

Enforcement notices

- 17 (1) The provisions of this paragraph shall have effect in relation to any enforcement notice served before the twenty-ninth day of August, nineteen hundred and sixty, on the owner and occupier of the land to which it related.
- (2) Sections forty-five to forty-nine shall not apply.

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- (3) Notwithstanding the repeal, sections twenty-three and twenty-four of the Act of 1947 shall have effect in relation to any such notice as they would have had effect if this Act had not been passed.
- (4) Section fifty shall not have effect in relation to any such notice if the planning permission in question was granted before the twenty-ninth day of August, nineteen hundred and sixty.
- (5) In the application of section fifty-one to such a notice, for the references in subsections (3) and (4) to section forty-eight there shall be substituted references to subsection (1) of section twenty-four of the Act of 1947, and in subsection (5) of section fifty-one the words from “and no person ” onwards shall be omitted.
- (6) In this paragraph “enforcement notice” does not include a notice served by virtue of section seventy-five of the Act of 1947.

Notices in respect of listed buildings

- 18 (1) The provisions of this paragraph shall have effect in relation to any notice served under subsection (8) of section thirty of the Act of 1947 before the twenty-ninth day of August, nineteen hundred and sixty.
- (2) Subsections (1) and (2) of section fifty-two, and sections fifty-three to fifty-five, shall not apply.
- (3) Notwithstanding the repeal, the provisions of subsections (3) to (5) of section twenty-three of the Act of 1947 and of section twenty-four of that Act, as applied by subsection (8) of section thirty thereof, and any regulations made for the purposes of the last-mentioned subsection, shall have effect in relation to any such notice.

Notices in respect of waste land, etc.

- 19 (1) The provisions of this paragraph shall have effect in relation to any notice served under subsection (1) of section thirty-three of the Act of 1947 before the twenty-ninth day of August, nineteen hundred and sixty.
- (2) Sections fifty-six to sixty shall not apply.
- (3) Notwithstanding the repeal, the provisions of subsections (3) to (5) of section twenty-three of the Act of 1947 and of section twenty-four of that Act, as applied by subsection (2) of section thirty-three thereof, and any regulations made for the purposes of the last-mentioned subsection, shall have effect in relation to any such notice.

Building preservation orders and control of advertisements

- 20 The repeal shall not affect the operation of any order under section twenty-nine of the Act of 1947 which was in force immediately before the twenty-ninth day of August, nineteen hundred and sixty, or any regulations under section thirty-one of that Act which were in force immediately before that day, in so far as any such order or regulations applied (with or without adaptations or modifications) any of the provisions of that Act which were repealed by section forty-eight of the Caravan Sites and Control of Development Act, 1960, and accordingly are not re-enacted in this Act.

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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 ;
 - (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.

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- 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.

PART VI

PROVISIONS RELATING TO PART VI OF ACT

Compensation under Part V of Act of 1954

- 27 (1) Subject to the following provisions of this paragraph, for the purposes of the construction of sections one hundred and twelve to one hundred and fifteen in accordance with Part I of this Schedule, any compensation (whether by way of principal or interest) under Part V of the Act of 1954, and any claim for, or notice registered in respect of, any such compensation, as well as any compensation under Part II of that Act, or any claim for, or notice registered in respect of, compensation under the said Part II, shall be treated as compensation, or, as the case may be, a claim for, or notice registered in respect of, compensation, under provisions of that Act corresponding to those of Part VI of -this Act.
- (2) For the purposes of the construction of section one hundred and twelve in accordance with the preceding sub-paragraph in relation to Part V of the Act of 1954, any reference to a planning decision shall be construed as including -a reference to an order under section twenty-one of the Act of 1947.
- (3) Where compensation under Part V of the Act of 1954 became or becomes payable in respect of an order modifying planning permission, then (notwithstanding anything in the preceding provisions of this paragraph) the provisions of sections one hundred and thirteen and one hundred and fifteen shall not apply to development in accordance with that permission as modified by the order.

Provision excluding recovery of compensation

- 28 For the purposes of the construction, in accordance with Part I of this Schedule, of subsection (4) of section one hundred and fourteen.—
- (a) the provisions of subsection (6) of section fifty-two of the Act of 1954 as originally enacted, and
 - (b) those provisions as applied by any regulations made under subsection (8) of the said section fifty-two,

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as well as the provisions of the said subsection (6) as amended by section fifty-one of the Act of 1959, shall be treated as provisions corresponding to those of section one hundred and ninety.

PART VII

PROVISIONS RELATING TO PART VII OF ACT

Exchequer contribution towards compensation

- 29 For the purposes of the construction of subsection (1) of section one hundred and twenty-one in accordance with Part I of this Schedule, any compensation which could have been claimed and would have been payable under Part V of the Act of 1954, as well as any compensation which could have been claimed and would have been payable under Part II of that Act, shall be treated as compensation which could have been claimed and would have been payable under provisions of that Act corresponding to the provisions of Part VI of this Act.

Recovery of compensation

- 30 For the purposes of the construction of subsection (3) of section one hundred and twenty-two in accordance with Part I of this Schedule, any grant paid—
- (a) under the provisions of the section substituted by section fifty of the Act of 1954 for section ninety-three of the Act of 1947, but without the amendments made by the Local Government Act, 1958, or
 - (b) under the provisions of Part IX of the Act of 1947 as originally enacted,
- as well as any grant paid under the provisions of the said section ninety-three as in force immediately before the commencement of this Act, shall be treated as a grant paid under provisions corresponding to those of Part XII of this Act.

PART VIII

PROVISIONS RELATING TO PART X OF ACT

Application of s.164 to land acquired by Central Land Board

- 31 In subsection (1) of section one hundred and sixty-four, the reference to land acquired by a Minister, a local authority or statutory undertakers under Part V of this Act shall be construed as including a reference to land acquired by the Central Land Board under Part IV of the Act of 1947, as well as to land acquired under the said Part IV by a Minister, a local authority or statutory undertakers.

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PART IX

PROVISIONS RELATING TO PART XI OF ACT

Orders made and action taken before 16th August, 1959

- 32 (1) Notwithstanding anything in Part I of this Schedule, the provisions of section one hundred and seventy-six shall not have effect in relation to—
- (a) any order made before the sixteenth day of August, nineteen hundred and fifty-nine, under any of the provisions of the Act of 1947 corresponding to the provisions of this Act under which the orders mentioned in subsection (2) of that section can be made, or
 - (b) any action on the part of the Minister taken before the said sixteenth day of August under any of the provisions of that Act or of the Act of 1954 corresponding to the provisions of this Act under which action of the descriptions mentioned in subsection (3) of that section can be taken,
- and section one hundred and seventy-nine does not apply to any such order or action as is mentioned in this sub-paragraph.
- (2) In relation to any action which, in accordance with any provisions of the Act of 1947 corresponding to provisions of Part X of this Act, were required to be taken by the Minister and the appropriate Minister, the reference in the preceding sub-paragraph to the Minister shall be construed as a reference to the Minister and the appropriate Minister.

- 33 Section one hundred and eighty-one does not apply to any decision of the Minister made before the sixteenth day of August, nineteen hundred and fifty-nine, under any of the provisions of the Act of 1947 corresponding to the provisions of this Act mentioned in subsection (2) of that section.

Notices served before 29th August, 1960

- 34 Subsection (1) of section one hundred and seventy-seven shall not apply to any enforcement notice which was served before the twenty-ninth day of August, nineteen hundred and sixty, on the owner and occupier of the land to which it related.
- 35 Subsection (3) of section one hundred and seventy-seven shall not apply to any notice served under subsection (8) of section thirty of the Act of 1947 before the said twenty-ninth day of August; and subsection (4) of section one hundred and seventy-seven shall not apply to any notice served before that day under subsection (1) of section thirty-three of that Act.

Directions under Part V of Act of 1954

- 36 For the purposes of the construction, in accordance with Part I of this Schedule, of paragraph (J) of subsection (3) of section one hundred and seventy-six (but without prejudice to sub-paragraph (1) of paragraph 32 of this Schedule) any direction given on or after the sixteenth day of August, nineteen hundred and fifty-nine, by the Minister under subsection (3) or subsection (4) of section forty-five of the Act of 1954, as well as any direction given by the Minister on or after that day under section twenty-three of that Act, shall be treated as a direction given under provisions of that Act corresponding to the provisions of section twenty-five.

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PART X

PROVISIONS APPLICABLE TO PART XII OF ACT

Exchequer grants to local authorities

- 37 Nothing in this Act shall affect the payment (whether before or after the commencement of this Act) of any grant in respect of any period before the commencement of this Act.

Recovery of sums from acquiring authorities

- 38 (1) In relation to any acquisition or sale of an interest in land in pursuance of a notice to treat served, or contract made, before the thirtieth day of October, nineteen hundred and fifty-eight.—
- (a) section one hundred and ninety shall not apply ;
- (b) the repeal shall not affect any right of recovering any sum in respect thereof under the provisions of subsection (6) of section fifty-two of the Act of 1954 as originally enacted, or under those provisions as applied by regulations made under subsection (8) of the said section fifty-two.

- (2) Subject to the preceding sub-paragraph, section one hundred and ninety shall have effect in relation to interests in land acquired or sold as therein mentioned whether before or after the commencement of this Act; and for the purposes of the construction of that section in accordance with Part I of this Schedule, any notice registered under the provisions of section twenty-eight of the Act of 1954 as applied by Part V of that Act, as well as any notice registered under those provisions as applied by Part IV of that Act, shall be treated as a notice registered under provisions of that Act corresponding to the provisions of this Act referred to in section one hundred and ninety, and references in section one hundred and ninety to compensation specified in a notice shall be construed accordingly.

- 39 Section one hundred and ninety-one shall have effect in relation to interests in land acquired or sold as therein mentioned whether before or after the commencement of this Act, except that it shall not have effect in relation to any acquisition or sale in pursuance of a notice to treat served, or contract made, before the sixth day of August, nineteen hundred and forty-seven.

Financing of payments under s. 59 of Act of 1947

- 40 Notwithstanding the repeal of section sixty-seven of the Act of 1947, any sums which, apart from this Act, would have fallen to be issued or raised in accordance with subsection (1) or subsection (2) of that section may be so issued or raised as if this Act had not been passed; and any securities created and issued to raise money under that section (whether before or after the commencement of this Act) shall, in accordance with subsection (2) of that section, be deemed for all purposes to have been created and issued under the National Loans Act, 1939.

Financing of payments under Parts I and V of Act of 1954

- 41 The repeal shall not affect the operation of subsections (1) and (2) of section sixty-four of the Act of 1954, in so far as those subsections would have continued to have effect if this Act had not been passed.

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Payments into the Exchequer

- 42 Subsection (4) of section one hundred and ninety-four shall apply to any sums received by the Minister by virtue of subsections (1) to (5) of section fifty-two of the Act of 1954 as it applies to sums received by the Minister by virtue of the provisions mentioned in the said subsection (4).

PART XI

PROVISIONS RELATING TO PART XIII OF ACT

Minerals

- 43 (1) In the Town and Country Planning (Modification of Mines Act) Regulations, 1948 (being regulations made under the provisions of the Act of 1947 corresponding to section one hundred and ninety-eight), Regulation 6 (which makes provision as to the assessment of the compensation or consideration for a right to work minerals, but by virtue of the Town and Country Planning Act, 1953, does not apply to any determination of compensation or consideration made after the passing of that Act) is hereby revoked.
- (2) The preceding sub-paragraph shall have effect without prejudice to the operation of any of the other provisions of those Regulations in accordance with Part I of this Schedule.
- 44 (1) Regulation 10 of the Town and Country Planning (Minerals) Regulations, 1954, and section seventy-nine of the Act of 1947 as applied by that regulation, shall (notwithstanding the repeal) have effect after the date of the commencement of this Act in any case where they would have had effect after that date if this Act had not been passed.
- (2) The said Regulation 10, in so far as it has effect in accordance with the preceding sub-paragraph, may be revoked or varied by regulations made under section one hundred and ninety-seven as if it were a regulation made under that section.
- (3) In this paragraph any reference to the said Regulation 10 is a reference to that regulation as varied by any subsequent regulations.

Ecclesiastical property, settled land, and land of universities and colleges

- 45 For the purposes of the construction of sections two hundred and five and two hundred and six in accordance with Part I of this Schedule, the provisions of section forty-six of the Act of 1954, as well as the provisions of section forty-one of that Act, shall be treated as provisions corresponding to those of section one hundred and twenty-two.

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PART XII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Registration of payments under s. 59 of Act of 1947

- 46 (1) The repeal shall not affect the operation of subsections (1) and (2) of section fifty-seven of the Act of 1954, in so far as those subsections would have continued to have effect if this Act had not been passed.
- (2) In subsection (1) of the said section fifty-seven, the references o subsection (7) of section fifty-two of that Act and to paragraph (a) of the proviso to that subsection shall be construed as including references respectively to subsection (1) and to subsection (2) of section one hundred and ninety-one.

Saving for Act of 1944 as applied by other enactments

- 47 The repeal shall not affect the operation of any provisions of the Act of 1944 as applied by the New Towns Act, 1946.
- 48 (1) This paragraph shall have effect for the purposes of any enactment (not contained in the New Towns Act, 1946) which applies the provisions of section twenty-five of the Act of 1944, with adaptations consisting of or including adaptations of the references in that section to a purchasing authority or to the purchasing or appropriating authority.
- (2) Any such enactment shall be construed (in accordance with Part I of this Schedule or section thirty-eight of the Interpretation Act, 1889) as applying the provisions of section one hundred and sixty-four, and of subsection (2) of section one hundred and seventy, with corresponding adaptations of the references in those provisions to a Minister, a local authority or statutory undertakers, or to the acquiring or appropriating authority, as the case may require.

Definition of “local authority”

- 49 For the purposes of the construction, in accordance with Part I of this Schedule, of any enactment which incorporates the definition of “local authority ” in the Act of 1947, section one hundred and fifty-four and the reference thereto in the corresponding definition in subsection (1) of section two hundred and twenty-one shall be disregarded.

Saving for powers of Postmaster-General

- 50 Except as provided by section one hundred and fifty-eight, nothing in the provisions of this Act specified in paragraph 1 of the Eighth Schedule thereto or in any order or regulations made thereunder shall affect any powers or duties of the Postmaster-Geineral under the provisions of the Telegraph Acts, 1863 to 1954, or apply to any telegraphic lines (within the meaning of the Telegraph Act, 1878) placed or maintained by virtue of any of the provisions of those Acts.

Saving in respect of works below high-water mark

- 51 Nothing in the provisions of this Act specified in paragraph 1 of the Eighth Schedule thereto shall authorise the execution of any works (whether of construction,

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demolition or alteration) on, over or under tidal lands below high-water of ordinary spring tides, except—

- (a) with the consent of any persons whose consent would have been required if this Act had not been passed, and
- (b) in accordance with such plans and sections, and subject to such restrictions and conditions, as may be approved by the Minister of Transport before the works are begun.

Land Compensation Act, 1961, s. 31

- 52 Any reference in this Act to the power conferred by section thirty-one of the Land Compensation Act, 1961, to withdraw a notice to treat shall, in relation to any notice to treat falling within section forty-one of that Act, be construed as a reference to the corresponding power conferred by subsection (2) of section five of the Acquisition of Land (Assessment of Compensation) Act, 1919.

“The Minister” in relation to time before 3rd November, 1951

- 53 Any reference in this Act to the Minister—
- (a) in relation to any time before the third day of November, nineteen hundred and fifty-one, but on or after the thirtieth day of January, nineteen hundred and fifty-one, shall be construed as a reference to the Minister of Local Government and Planning, and
 - (b) in relation to any time before the said thirtieth day of January, shall be construed as a reference to the Minister of Town and Country Planning.

Supplementary

- 54 (1) Where in this Act (including this Schedule except Part I thereof) express provision is made in respect of any matter, the provisions of Part I of this Schedule, in so far as they are applicable to that matter, shall have effect subject to that express provision.
- (2) Except as provided by the preceding sub-paragraph, the mention in any of the provisions of this Act (including this Schedule except Part I thereof) of any matter to which Part I of this Schedule is applicable shall not be construed as affecting the generality of the provisions of Part I of this Schedule.

- 55 Any reference in this Schedule to a numbered section shall, unless the reference is to a section of a specified Act, be construed as a reference to the section bearing that number in this Act.

- 56 In this Schedule “the repeal ” means the repeal effected by section two hundred and twenty-three.