



# Post Office Act 1969

## 1969 CHAPTER 48

### PART III

#### THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS

##### *Lands*

#### 55 Compulsory purchase of land in Great Britain.

- (1) The Minister may authorise the Post Office to purchase compulsorily any land in Great Britain which is required by it for, or in connection with, the exercise of its powers or as to which it can reasonably be foreseen that it will be so required; and the [<sup>F1M1</sup>Acquisition of Land Act 1981] shall apply to the compulsory purchase of land in Great Britain by the Post Office <sup>F2</sup>. . . .
- (2) The power of purchasing land compulsorily in this section shall include power to acquire, by the creation of a new right an easement or other right over land, other than land which would, for the purposes of the [<sup>F1M2</sup>Acquisition of Land Act 1981] form part of a common, open space or fuel or field garden allotment.
- (3) In the application of this section to Scotland, there shall be substituted, for any reference to the [<sup>F1M3</sup>Acquisition of Land Act 1981], a reference to the <sup>M4</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and, for any reference to an easement, a reference to a servitude; and the reference in the last foregoing subsection to a fuel or field garden allotment shall be omitted.

#### Textual Amendments

- F1** Words substituted by [Acquisition of Land Act 1981 \(c.67\), Sch. 4 para. 1](#)
- F2** Words repealed by [Acquisition of Land Act 1981 \(c.67\), Sch. 6](#)

#### Marginal Citations

- M1** [1981 c. 67.](#)
- M2** [1981 c. 67.](#)

*Status: Point in time view as at 01/04/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Post Office Act 1969, Cross Heading: Lands. (See end of Document for details)*

**M3** 1946 c. 49.  
**M4** 1947 c. 42.

## 56 Compulsory purchase of land in Northern Ireland.

- (1) Where the Post Office desires to acquire, otherwise than by agreement, any land in Northern Ireland required by it for, or in connection with, the exercise of its powers or as to which it can reasonably be foreseen that it will be so required, it may apply to the Minister for an order vesting that land in it, and the Minister shall have power to make such an order.
- (2) For the purposes of the acquisition of land by means of a vesting order under this section, Schedules 5 and 6 to the <sup>M5</sup>Roads Act (Northern Ireland) 1948 (as amended by any enactment of the Parliament of Northern Ireland passed before the passing of this Act) are hereby incorporated in this Act subject to the modifications specified in Schedule 3 to this Act.
- (3) The <sup>M6</sup>Acquisition of Land (Assessment of Compensation) Act 1919 shall, in its application to any land vested in the Post Office by an order made under this section, have effect as amended by the <sup>M7</sup>Lands Tribunal and Compensation Act (Northern Ireland) 1964.
- (4) In this section, and in Schedule 3 to this Act and in the said Schedule 5 as incorporated in this Act, “land” has the meaning assigned to it by section 45(1)(a) of the <sup>M8</sup>Interpretation Act (Northern Ireland) 1954 and, in Schedule 3 to this Act and in the said Schedule 5 as so incorporated, “estate” has the meaning assigned to it by section 45(2) of that Act.

### Marginal Citations

**M5** 1948 c. 28 (N.I.)  
**M6** 1919 c. 57.  
**M7** 1964 c. 29 (N.I.)  
**M8** 1954 c. 33 (N.I.)

## 57 Entry, for exploratory purposes, on land in England or Wales.

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in England or Wales other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) [<sup>F3</sup>Sections 324(8), 325(1) to (5), (8) and (9) of the Town and Country Planning Act 1990] (which contain supplementary provisions relating to the powers of entry conferred by [<sup>F4</sup>section 324(1) to (7) and (9) thereof]) shall have effect in relation to the power conferred by this section as they have effect in relation to the powers conferred by [<sup>F5</sup>the said section 324], subject, however, to the following modifications, namely,
  - (a) that [<sup>F6</sup>section 324(8)] (which relates to power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals [<sup>F6</sup>in it]) shall so have effect as if the words “or the presence of minerals [<sup>F6</sup>in it]” were omitted; and

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- (b) that [F7section 325(1)] (which requires twenty-four hours' notice to be given of an intended entry upon occupied land) shall so have effect as if, for the words "twenty-four hours", there were substituted the words "twenty-eight days".
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to chattels, any person interested in the land or chattels may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or chattels, he may recover from the Post Office compensation in respect of the disturbance.
- (4) [F8Section 118 of the Town and Country Planning Act 1990] (which provides for the determination of disputes as to compensation under [F9Part IV of that Act]) shall apply to any question of disputed compensation under this section.
- (5) This section shall come into operation on the appointed day.

#### Textual Amendments

- F3 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(a\)\(i\)](#)
- F4 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(a\)\(ii\)](#)
- F5 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(a\)\(iii\)](#)
- F6 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(a\)\(iv\)](#)
- F7 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(a\)\(v\)](#)
- F8 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(b\)\(i\)](#)
- F9 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 24\(1\)\(b\)\(ii\)](#)

## 58 Entry, for exploratory purposes, on land in Scotland.

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in Scotland, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) [F10Sections 265(8) and 266(1) to (3) and (6) of the M9Town and Country Planning (Scotland) Act 1972] (supplementary provisions as to powers of entry) shall have effect in relation to the power conferred by this section as they have effect in relation to the powers conferred by [F10the said section 265] subject, however, to the following modifications, namely,—
- (a) that [F10section 266(1)] (twenty-four hours' notice to be given of an intended entry upon occupied land) shall so have effect, as if, for the words, "twenty-four hours", there were substituted the words "twenty-eight days"; and
- (b) that [F10section 265(8)] (power to search and bore for minerals, &c.) shall so have effect as if the words "or the presence of minerals therein" were omitted.
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to corporeal moveables, any person interested in the land or corporeal moveables

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may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or corporeal moveables, he may recover from the Post Office compensation in respect of the disturbance.

- (4) Any question arising under this section as to the effect of damage or as to the amount of compensation shall, in the case of dispute be determined by arbitration, and the reference in such an arbitration shall be to a single arbiter to be appointed by agreement between the parties or, in default of an agreement, by the Minister.
- (5) This section shall come into operation on the appointed day.

#### Textual Amendments

**F10** Words substituted by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\), Sch. 21 Pt. II](#)

#### Marginal Citations

**M9** [1972 c. 52.](#)

### 59 Entry, for exploratory purposes, on land in Northern Ireland.

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in Northern Ireland, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) Subsections (2) to (5) and (8) of section 40 of the <sup>M10</sup>Land Development Values (Compensation) Act (Northern Ireland) 1965 (which contain supplementary provisions relating to the power of entry conferred by subsection (1) of that section) shall have effect in relation to the power conferred by this section as they have effect in relation to the power conferred by the said subsection (1), subject, however to the following modifications, namely,—
- (a) that section 40(2) (which relates to power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein) shall so have effect as if the words “or the presence of minerals therein” were omitted; and
- (b) that section 40(3)(b) (which requires three days’ notice to be given of an intended entry upon occupied land) shall so have effect as if, for the word “three”, there were substituted the word “twenty-eight”.
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to chattels, any person interested in the land or chattels may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or chattels, he may recover from the Post Office compensation in respect of the disturbance.
- (4) Section 31 of the <sup>M11</sup>Land Development Values (Compensation) Act (Northern Ireland) 1965 (which provides for the determination of disputes as to compensation under Part III of that Act) shall apply to any question of disputed compensation under this section.
- (5) This section shall come into operation on the appointed day.

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#### Marginal Citations

M10 1965 c. 23 (N.I.)

M11 1965 c. 23 (N.I.)

### 60 Application, to acquisitions of land by the Post Office by agreement, of certain statutory provisions relating to compulsory purchase.

- (1) For the purpose of the acquisition by the Post Office by agreement of land in England or Wales, the provisions of Part I of the <sup>M12</sup>Compulsory Purchase Act 1965 (so far as applicable) other than sections 4 to 8, section 27 and section 31 shall apply.
- (2) For the purpose of the acquisition by the Post Office by agreement of land in Scotland, section [<sup>F11</sup>109(2) of the <sup>M13</sup>Town and Country Planning (Scotland) Act 1972] (incorporation of Lands Clauses Acts) shall, with any necessary modifications, apply for the purposes of this Act as it applies for the purposes of that Act.
- (3) For the purpose of the acquisition by the Post Office by agreement of land in Northern Ireland, the Lands Clauses Acts shall be incorporated with this Act except for sections 127 to 133 (sale of superfluous land) and sections 150 and 151 (access to the special Act) of the <sup>M14</sup>Lands Clauses Consolidation Act 1845.

#### Textual Amendments

F11 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 17\(2\)\(a\)](#)

#### Marginal Citations

M12 1965 c. 56.

M13 1972 c. 52.

M14 1845 c. 18.

### 61 Power to sell to the Post Office land belonging to Her Majesty in right of the Duchy of Lancaster.

The Chancellor and Council of the Duchy of Lancaster may, if they think fit, agree with the Post Office for the sale, and absolutely make sale, for such sum of money as appears to them to be sufficient consideration for the same, of any land belonging to Her Majesty in right of the Duchy of Lancaster which the Post Office seeks to acquire in exercise of the power conferred on it by virtue of section 7(2)(f) of this Act.

### 62 Requisitions on title as to Treasury consent to dealings with land precluded.

A person dealing with the Post Office in respect of land shall not be bound or entitled to inquire whether the consent of the Treasury to any previous dealing with the land was requisite or whether, if it was, it was given.

### 63 Status of land vested in the Post Office by virtue of Part III.

Land vested in the Post Office by virtue of this Part of this Act shall be deemed for all purposes to have been acquired by it for the purposes of its undertaking.

**Status:**

Point in time view as at 01/04/1996.

**Changes to legislation:**

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Lands.