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## SCHEDULES

### SCHEDULE 24

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART VII

##### ACQUISITION OF LAND ETC.

###### *Consent of Minister to acquisition, appropriation or disposal of land*

- 42 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as validating any transaction whereby a local authority purported, in the exercise of a power conferred by an enactment repealed by the Act of 1962, but without the consent of the Minister then required by that enactment—
- (a) to acquire land by agreement in pursuance of a contract made before 16th August 1959 ; or
  - (b) to appropriate or dispose of land before that date,
- notwithstanding that the transaction could have been validly effected without that consent under the corresponding provisions of Part VI of this Act.

###### *Existing compulsory purchase orders*

- 43 (1) Sections 112 and 113 of this Act shall not apply, and (notwithstanding their repeal by the Act of 1968) sections 67 and 68 of the Act of 1962 shall continue to apply to any land the acquisition of which was, immediately before 1st April 1969, authorised by a compulsory purchase order made by a local authority or statutory undertakers or by a Minister, or was then proposed to be authorised by such an order which had not been confirmed by a Minister or, as the case may be, had been prepared in draft by a Minister, but with respect to which a notice had then been published in accordance with paragraph 3(1)(a) of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946.
- (2) The validity of a compulsory purchase order made under section 67, 68 or 69 of the Act of 1962 shall not be affected by the repeal by the Act of 1968 of the section under which the order was made ; and a compulsory purchase order made (but not confirmed), or made in draft, before the repeal of that section took effect may be confirmed or made thereunder as if the Act of 1968 had not been passed.
- 44 In relation to a compulsory purchase order confirmed under Part I of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946, or made under Part II of that Schedule, before 1st January 1966, section 132(4) of this Act shall have effect—
- (a) with the substitution for the words " the Compulsory Purchase Act 1965 in relation to " of the words "the Lands Clauses Acts as incorporated (by virtue

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- of paragraph 1 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) Act 1946) with " ; and
- (b) with the substitution in paragraph (b) for the words " section 10 of the said Act of 1965 to the acquiring authority " of the words "section 68 of the Lands Clauses Consolidation Act 1845, to the promoters of the underaking".
- 45 The repeals effected by the Act of 1962 shall not affect the validity of any order authorising the compulsory acquisition of any land—
- (a) under section 37(2) 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 section 38(2) 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 section 38 of that Act 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.
- 46 Any compulsory purchase order made or confirmed under Part I of the Act of 1944 (whether before or after the appointed day) shall, if in force immediately before the commencement of this Act, continue in force and shall have effect as if it had been made under the Acquisition of Land (Authorisation Procedure) Act 1946 as applied by Part VI of this Act.
- Application of Part VI to land acquired or authorized: to be acquired under previous enactments*
- 47 The provisions of Part VI of this Act shall have effect in relation to land acquired, or authorised to be acquired, in pursuance of any such order as is mentioned in paragraph 45 of this Schedule as if—
- (a) 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 112 of this Act;
- (b) 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 113 of this Act.
- 48 For the purposes of Part VI of this Act—
- (a) any land acquired by a local authority in pursuance of a compulsory purchase order under Part I of the Act of 1944 shall be deemed to have been acquired under section 112 of this Act;
- (b) any land acquired by a Minister in pursuance of any such order shall be deemed to have been acquired by him under section 113 of this Act;
- (c) any land acquired by a local authority by agreement under the Act of 1944 shall be deemed to have been acquired under section 119 of this Act
- 49 The reference in subsection (1) of-section 133 of this Act to the acquisition of land under section 68 or 71 of the Act of 1962 shall include a reference to the acquisition of land under section 38 or 40 of the Act of 1947 ; and the reference in that subsection to the appropriation of land for purposes for which land can be or

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could have been acquired under the provisions there mentioned is a reference to the appropriation of land for those purposes whether before or after the commencement of this Act.

*Provisions as to Central Land Board*

50 Section 127 of this Act shall have effect in relation to land acquired by the Central Land Board under section 43 of the Act of 1947 as it has effect in relation to land acquired by a local authority for planning purposes (as defined by section 133(1) of this Act).

*Application of Small Tenements Recovery Act 1838*

51 Until such day as may be appointed under section 35(5) of the Rent Act 1965, section 130 of this Act shall have effect as if it contained a provision corresponding to section 84(4) of the Act of 1962, the reference to Part V of that Act being construed as a reference to Part VI of this Act.