



Acquisition of Land Act 1981

1981 CHAPTER 67

PART I

GENERAL

Compulsory purchase

2 Procedure for authorisation.

(1) The authorisation of a compulsory purchase shall be conferred by an order (in this Act called a “compulsory purchase order”).

[^{F1}(2) A compulsory purchase order authorising a compulsory purchase by an authority other than a Minister is to be—

- (a) made by that authority,
- (b) submitted to the confirming authority, and
- (c) confirmed in accordance with Part 2 of this Act.]

(3) A compulsory purchase order authorising a compulsory purchase by a Minister shall be made by the Minister in accordance with Schedule 1 to this Act.

Textual Amendments

- F1** S. 2(2) substituted (6.4.2018 for specified purposes, 6.4.2019 in so far as not already in force) by [Housing and Planning Act 2016 \(c. 22\), ss. 181\(3\), 216\(3\)](#); S.I. 2018/251, reg. 4(b) (with reg. 5); S.I. 2019/427, reg. 3 (with reg. 4)

Modifications etc. (not altering text)

- C1** S. 2 excluded by 1975 c. 70, Sch. 4 para. 1(2) (as substituted (1.4.2006) by [The Welsh Development Agency \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3226\)](#), arts. 1(2), 7, **Sch. 1 para. 33(1)** (with art. 3(1)))

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Acquisition of Land Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

[^{F2}2A Tunnels etc

- (1) A compulsory purchase order may provide that in the following provisions, a reference to land (however expressed) does not include specified land that is at least 9 metres or more below the surface.
- (2) The provisions mentioned in subsection (1) are—
 - (a) Schedule 2A of the Compulsory Purchase Act 1965 (objection to division of land),
 - (b) any substituted version of that Schedule that applies by virtue of provision made by or under any Act, and
 - (c) Schedule A1 to the Compulsory Purchase (Vesting Declarations) Act 1981 (objection to division of land).]

Textual Amendments

F2 S. 2A inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 17 para. 9](#); [S.I. 2017/75](#), reg. 3(g)

3 Minerals.

Schedule 2 to this Act (exception of minerals from purchases etc.) shall have effect.

4 Assessment of compensation.

- (1) In relation to a compulsory purchase the ^{M1}Land Compensation Act 1961 shall have effect subject to the provisions of this section.
- (2) The [^{F3}Upper Tribunal] shall not take into account any interest in land, or any enhancement of the value of any interest in land, by reason of any building erected, work done or improvement or alteration made, whether on the land purchased or on any other land with which the claimant is, or was at the time of the erection, doing or making of the building, works, improvement or alteration, directly or indirectly concerned, if the [^{F3}Upper Tribunal] is satisfied that the creation of the interest, the erection of the building, the doing of the work, the making of the improvement or the alteration, as the case may be, was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

Textual Amendments

F3 Words in s. 4(2) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, [Sch. 1 para. 150](#) (with Sch. 5)

Modifications etc. (not altering text)

C2 S. 4 applied (with modifications) by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 155(3)(4)(7), [Sch. 20 para. 6\(1\)\(b\)\(c\)](#) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

C3 S. 4 applied by [Dartford-Thurrock Crossing Act 1988 \(c. 20, SIF 59\)](#), ss. 2(2), 19, [Sch. 2 Pt. II para. 6](#)
S. 4 applied (5.11.1993) by [1993 c. 42](#), s. 5, [Sch. 4 para. 4](#) (with s. 30(1), Sch. 2 para. 9).

C4 S. 4 modified (13. 2. 1992) by [Severn Bridges Act 1992 \(c. 3\)](#), s. 2(6), [Sch. 2 Pt. II para.5](#)
S. 4 modified (28.7.1998) by [1998 c. iv](#), s. 9 (with s. 41)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Acquisition of Land Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- C5** S. 4 applied (with modifications) (1.12.1991) by Water Industry Act 1991 (c. 56, SIF 130), ss. 167, 223(2), **Sch. 11 para. 6(1)(b)** (with ss. 82(3), 186(1), 222(1), Sch. 14 para. 6)
S. 4 applied (with modifications) (1.12.1991) by Water Resources Act 1991 (c. 57, SIF 130), ss. 168, 225(2), **Sch. 19 para. 6(1)(b)** (with ss. 16(6), 179, 222(3), Sch. 22 para. 1, Sch. 23 para. 6)
- C6** S. 4 extended (18.12.1996) by 1996 c. 61, s. 4, **Sch. 4 Pt. III para. 16**
- C7** S. 4 applied (12.8.2002) by The Channel Tunnel Rail Link (Thames Tunnel Approach) Order 2002 (S.I. 2002/1943), **art. 7**
- C8** S. 4 applied (22.7.2008) by Crossrail Act 2008 (c. 18), **Sch. 6 para. 20**
- C9** S. 4 modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(1), **Sch. 6 para. 4(1)**
- C10** S. 4 modified (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), s. 64(1), **Sch. 7 para. 4(1)**

Marginal Citations

- M1** 1961 c. 33.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Acquisition of Land Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 43\(2\)](#)
- Act applied by [2023 asc 3 s. 50\(13\)](#)
- Act applied by [2023 asc 3 s. 137\(6\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(4) inserted by [2023 c. 55 Sch. 18 para. 3\(2\)\(b\)](#)
- s. 13A(1A)-(1I) substituted for s. 13A(2)-(6) by [2023 c. 55 s. 182\(2\)](#)
- s. 13BA inserted by [2023 c. 55 s. 183\(2\)](#)
- s. 14A(2A) inserted by [2023 c. 55 s. 190\(1\)\(b\)](#)
- s. 15(4)(ba) inserted by [2023 c. 55 s. 183\(3\)\(c\)](#)
- s. 15(4B)-(4F) inserted by [2023 c. 55 s. 183\(3\)\(d\)](#)
- s. 15A and cross-heading inserted by [2023 c. 55 s. 190\(1\)\(c\)](#)
- s. 26(1A)-(3) substituted for s. 26(1)(2) by [2023 c. 55 Sch. 18 para. 3\(3\)](#)
- Sch. 1 para. 4AA inserted by [2023 c. 55 Sch. 19 para. 3\(2\)](#)
- Sch. 1 para. 6(4)(ba) inserted by [2023 c. 55 Sch. 19 para. 3\(3\)\(c\)](#)
- Sch. 1 para. 6(4B)-(4D) inserted by [2023 c. 55 Sch. 19 para. 3\(3\)\(d\)](#)
- Sch. 1 para. 4A(1A)-(1J) substituted for Sch. 1 para. 4A(2)-(8) by [2023 c. 55 Sch. 19 para. 2\(2\)](#)
- Sch. 2A inserted by [2023 c. 55 s. 190\(1\)\(d\)](#)