



# Land Powers (Defence) Act 1958

1958 CHAPTER 30 6 and 7 Eliz 2

*Storage and transmission of oil*

## **[<sup>F1</sup>12 Extension of provisions of Requisitioned Land and War Works Acts.**

- (1) In the <sup>M1</sup>Requisitioned Land and War Works Acts, 1945 <sup>M2</sup> and 1948, the expression “government war works” shall include, and be deemed always to have included, any oil pipe-line or works accessory thereto laid, installed or constructed by or under the authority of a Minister—
- (a) in pursuance of Regulation 50 of the Defence (General) Regulations, 1939; or
  - (b) in pursuance of an agreement in such circumstances that, if the agreement had not been made, the like pipe-line or works could have been laid, installed or constructed in pursuance of the said Regulation 50,

and completed before the end of the year nineteen hundred and fifty-eight; and the expression “government oil pipe-line” in the said Act of 1948 and in any regulations made thereunder shall be construed accordingly.

- (2) In subsection (1) of section fourteen of the said Act of 1948 (which provides that, after the thirty-first day of December, nineteen hundred and forty-nine, section twelve of that Act shall not apply to any pipe-line or works accessory thereto unless the rights conferred by subsection (1) of the said section twelve have been registered in the [<sup>F2</sup>local land charges register]), for the words “forty-nine” there shall be substituted the word “sixty”.
- (3) In relation to any pipe-line or works accessory thereto with respect to which, at the date of the passing of this Act—
- (a) rights conferred as aforesaid have not been registered as aforesaid; and
  - (b) no such evidence of endorsement of documents of title as is required by regulations made under subsection (2) of the said section fourteen has been produced in accordance with those regulations,

the date as from which the rights conferred by section thirteen of the said Act of 1948 (which relates to compensation) are to be substituted for the rights conferred by subsection (2) of section three of the <sup>M3</sup>Compensation (Defence) Act, 1939, shall be the date of the passing of this Act or the date of the completion of the pipe-line or

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*Changes to legislation: There are currently no known outstanding effects for the Land Powers (Defence) Act 1958, Section 12. (See end of Document for details)*

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works in question, whichever of those dates is the later, and accordingly, in relation to any such pipe-line or works—

- (i) subsection (2) of the said section thirteen shall apply as if the said section twelve had come into operation at the later of the dates aforesaid;
- (ii) in subsections (4) and (5) of the said section thirteen the references to the commencement of the said Act of 1948 shall be construed as references to the later of the dates aforesaid; and
- (iii) in subsection (6) of the said section thirteen, the reference to the exercise of the powers therein mentioned shall be construed as a reference to the exercise of those powers after the later of the dates aforesaid.

(4) Where under any agreement made before the passing of this Act—

- (a) payments (whether referred to as compensation, rent or otherwise) are to be made in respect of a pipe-line or works to which the last foregoing subsection applies; and
- (b) any such payments become payable in respect of a period after the passing of this Act,

the right to those payments shall be taken to be in substitution for the right to any corresponding payment of compensation in respect of that period under section thirteen of the said Act of 1948.

(5) In the application of this section to Scotland, for any reference to the registration of rights in the [<sup>F3</sup>local land charges register] there shall be substituted a reference to the recording in the appropriate register of sasines of a deed granting such rights.]

#### Textual Amendments

- F1** S. 12 ceases to have effect (30.4.2015) by virtue of [Energy Act 2013 \(c. 32\)](#), **ss. 128(2)(e)**, 156(1) (with s. 130); S.I. 2015/817, art. 2(a)
- F2** Words in s. 12(2) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 25** (with Sch. 5 Pt. 4)
- F3** Words in s. 12(5) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), **Sch. 5 para. 25** (with Sch. 5 Pt. 4)

#### Marginal Citations

- M1** 1945 c. 53.
- M2** 1948 c. 17.
- M3** 1939 c. 75

**Changes to legislation:**

There are currently no known outstanding effects for the Land Powers (Defence) Act 1958, Section 12.