



# Town and Country Planning Act 1959

1959 CHAPTER 53 7 and 8 Eliz 2

## PART V

### MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

#### 45 Compensation for damage to requisitioned land.

- (1) In relation to compensation accruing due after the twenty-ninth day of October, nineteen hundred and fifty-eight, by virtue of paragraph (b) of subsection (1) of section two of the <sup>M1</sup>Compensation (Defence) Act, 1939 (which relates to compensation payable in respect of damage occurring to requisitioned land during the period of requisition), section fifty-three of the Act of 1954 (which limits the amount of that compensation) shall have effect as if any reference to the price which, at the relevant time and in the relevant circumstances, would be the compulsory purchase price of the land were a reference to the value which, at that time and in those circumstances, would be the value of such an interest in the land as is mentioned in paragraph (a) of subsection (2) of the said section fifty-three (that is to say, a freehold interest free from incumbrances but subject to any easement or other restriction affecting the land at the relevant time).
- (2) In this section “the relevant time” means the time when the compensation accrues due, and “in the relevant circumstances” means if the land were at the relevant time in the state in which it was when possession of the land was taken in the exercise of emergency powers.
- (3) . . . .<sup>F1</sup>

#### Textual Amendments

- F1** Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

#### Marginal Citations

- M1** 1939 c. 75.

**Changes to legislation:**

There are currently no known outstanding effects for the Town and Country Planning Act 1959, Section 45.