



# Weeds Act 1959

1959 CHAPTER 54 7 and 8 Eliz 2

## 3 Default powers of Minister.

- (1) Where a notice has been served under section one of this Act on the occupier of any land and the occupier has not taken the action required by the notice within the time specified therein, the Minister may take that action and recover a sum equal to the reasonable cost of so doing from the occupier or, if it is not practicable after reasonable enquiry to ascertain his name or address and he is not the owner of the land, from the owner.
- (2) Where the Minister is entitled to recover a sum under the preceding subsection from the owner of land (whether or not he is also the occupier) and is unable after reasonable enquiry to ascertain the name or address of the owner he may apply to the High Court or, if the said sum does not exceed the amount by which the jurisdiction of the county court is limited by section forty-one of the <sup>M1</sup>County Courts Act, 1934, or any enactment re-enacting that section, to the county court, for an order imposing on the land a charge for securing the payment of that sum.
- (3) A charge imposed under the last preceding subsection shall be a local land charge . . . <sup>F1</sup>; and the Minister shall, for the purpose of enforcing the charge, have the same powers and remedies under the <sup>M2</sup>Law of Property Act, 1925, and otherwise as he would have if he were a mortgagee by deed having powers of sale and lease, of accepting surrenders of leases, and of appointing a receiver.
- (4) Where, by reason of the default of the occupier, the owner of any land has been required to pay any sum to the Minister under subsection (1) of this section or has, by reason of a charge imposed on the land under subsection (2) thereof, otherwise suffered loss he shall be entitled to recover the amount of his loss from the occupier.

### Textual Amendments

**F1** Words repealed (with savings) by [Local Land Charges Act 1975 \(c. 76, SIF 98:2\)](#), s. 19, [Sch. 2](#)

### Marginal Citations

**M1** [1934 c. 53.](#)

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**Changes to legislation:** There are currently no known outstanding effects  
for the Weeds Act 1959, Section 3. (See end of Document for details)

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**M2** 1925 c. 20.

**Changes to legislation:**

There are currently no known outstanding effects for the Weeds Act 1959, Section 3.