



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART III

AERODROMES AND OTHER LAND

Ministers' power over land in connection with civil aviation

33 Registration of certain orders in the register of local land charges

- (1) As soon as may be after any of the following instruments, that is to say—
- an order under section twenty-four of this Act;
 - an order under section twenty-five of this Act, other than an order for the imposition of prohibitions or restrictions on the use of water; or
 - an order under section twenty-six of this Act or any direction given under such an order ;

becomes operative, it shall be registered in the prescribed manner in the register of local land charges by the proper officer of any local authority in whose area the land to which the instrument relates, or any part of that land, is situated.

In this subsection the expression " local authority " means the council of a county and the council of a county borough.

- (2) As soon as may be after such an instrument has become operative it shall be the duty of the Minister to notify that fact to the proper officer of the local authority by whom the instrument is required to be registered as aforesaid, and to furnish to him all necessary information relating to the instrument.
- (3) The power conferred by subsection (6) of section fifteen of the Land Charges Act, 1925, to make rules for giving effect to the provisions of that section shall be exercisable for giving effect to the provisions of this section, and in this section the expression " prescribed " means prescribed by rules made in the exercise of that power.
- (4) The foregoing provisions of this section shall not apply in Scotland, but where any such instrument as is mentioned in subsection (1) becomes operative, it shall be

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

recorded in the appropriate register of sasines, and on being so recorded shall be enforceable against any person having or subsequently acquiring any estate or interest in the land to which the order or direction relates.

- (5) The foregoing provisions of this section shall not apply to Northern Ireland but where any such instrument as is mentioned in subsection (1) adversely affects land in Northern Ireland, then—
- (a) if the land is registered land to which the Local Registration of Title (Ireland) Act, 1891, applies, the instrument on the lodgment by the Minister of a copy thereof with the Registrar of Titles shall, notwithstanding anything in the said Act or rules made thereunder be registered as a burden affecting the land and created after the first registration of the land, and may be so registered without the concurrence of the registered owner of the land or the production of the land certificate, without prejudice, however, to the power of the registering authority to order the production of the land certificate under subsection (2) of section eighty-one of the said Act; and
 - (b) if the land is not registered land to which the said Act applies, the instrument shall, on lodgment by the Minister of a copy thereof with the Registrar of Deeds for Northern Ireland, be registered in the Registry of Deeds, Northern Ireland, as an instrument affecting the lands to which the instrument relates.