



# Requisitioned Land and War Works Act 1945

## 1945 CHAPTER 43

### PART X

#### MISCELLANEOUS AND GENERAL.

#### **53 Provision of land in lieu of land acquired under Defence Acts.**

- (1) Where a Minister proposes to acquire any land under the Defence Acts, he may acquire under those Acts by agreement any land with a view to the exchange thereof for all or any of the first-mentioned land:

Provided that, where the first-mentioned land consists of or includes the whole or any part of any common to which the public have rights of access or of any open space, the power conferred by this subsection shall be extended so as to authorise the purchase of land with a view to its being substituted for the first-mentioned land otherwise than by way of exchange.

- (2) Where a Minister provides land in substitution for land acquired by him under the Defence Acts which is or forms part of a common, open space or fuel or field garden allotment, he may by order provide for vesting the first-mentioned land in the persons in whom the second-mentioned land was vested, subject to the same rights, trusts and incidents as attached to the second-mentioned land:

Provided that where the land is provided otherwise than by way of exchange, the persons in whom the land is to be vested shall be such as may be specified in the order and the rights, trusts and incidents to which the land is to be subject shall be such as may be so specified, being rights, trusts and incidents which in the opinion of the Minister are as nearly as may be the same, so far as regards the rights of the public, as those which attached to the land acquired.

- (3) Any reference in this Act to the power to acquire land by virtue of Part II thereof shall be deemed to include a reference to any power to acquire land by virtue of this section.