
STATUTORY INSTRUMENTS

1948 No. 1236

**THE TOWN AND COUNTRY PLANNING
(TRANSFER OF PROPERTY AND OFFICERS AND
COMPENSATION TO OFFICERS) REGULATIONS, 1948.**

PART II

TRANSFER OF PROPERTY AND OFFICERS

Provisions consequential on transfer

8. No proceedings, legal or other, pending on the appointed day with respect to any property or liabilities transferred by virtue of these Regulations shall be prejudicially affected by the Act or by these Regulations, and any such proceedings may be amended in such a manner as may appear necessary or proper to enable it to be carried on by or against the local planning authority or authorities to whom the transfer was made.

9. Any cause of action by or against any council or joint planning committee in existence on the appointed day in relation to any old planning functions or any property or liabilities transferred by virtue of these Regulations shall not be prejudicially affected by the Act or these Regulations but may be prosecuted and enforced by or against the local planning authority or authorities to whom the transfer was made as successor of the said council or joint planning committee.

10. All contracts, deeds, agreements, notices and other instruments affecting any old planning functions or any property or liabilities transferred by virtue of these Regulations and subsisting at the appointed day shall be of as full force and effect against or in favour of the local planning authority or authorities to whom the transfer was made and may be enforced as fully and effectually as if, instead of the council or joint planning committee named in the instrument, the authority or authorities to whom the transfer was made had been a party thereto.

11. Where any property or liabilities have been transferred by virtue of these Regulations, the local planning authorities, the constituent authorities of joint planning committees and the councils of county districts or, in default of agreement between them the Minister, may, without prejudice to the rights of other parties under these Regulations, provide for the making of such adjustments in relation to the property and liabilities transferred as appear to be desirable, including the making of payments by any such authority or council.

12. The council of a county district shall, at the request of the local planning authority for the area in which that district is situated, make available to that authority any information, records, maps, plans, surveys or other material in their possession relating to the exercise of old planning functions.

13. Any question arising under this Part of these Regulations shall be determined by the Minister.