
 STATUTORY INSTRUMENTS

1976 No. 199

COMMUNITY LAND

The Community Land (Appropriate Minister) Order 1976*Made* - - - 11th February 1976*Laid before Parliament* 23rd February 1976*Coming into Operation* 6th April 1976

The Secretary of State for the Environment, in relation to England, the Secretary of State for Scotland, in relation to Scotland, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred on them by sections 5(4)(b) and 53(2) of the Community Land Act 1975(a), and of all other powers enabling them in that behalf, hereby order as follows:—

1. This order shall come into operation on 6th April 1976 and may be cited as the Community Land (Appropriate Minister) Order 1976.

2. The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

3. In the Community Land Act 1975, the expression “the appropriate Minister” in relation to the statutory undertakers set out in column 1 in the following Table shall have the meaning given in column 2 of that Table as respects those undertakers—

<i>Statutory Undertakers</i>	<i>Appropriate Minister</i>
The British Broadcasting Corporation.	The Secretary of State for the Home Department.
The British Steel Corporation.	The Secretary of State for Industry.
The Independent Broadcasting Authority.	The Secretary of State for the Home Department.
The United Kingdom Atomic Energy Authority.	The Secretary of State for Energy.

4. In relation to the statutory undertakers set out in column 1 of the above Table, any reference in the Community Land Act 1975 to the Secretary of State and the appropriate Minister shall have effect as if it were a reference—

- (a) in England, to the Secretary of State for the Environment and the appropriate Minister specified as respects those undertakers in column 2 of that Table,
- (b) in Scotland, to the Secretary of State for Scotland and the appropriate Minister specified as respects those undertakers in column 2 of that Table,

 (a) 1975 c. 77.

(b) 1889 c. 63.

- (c) in Wales, to the Secretary of State for Wales and the appropriate Minister specified as respects those undertakers in column 2 of that Table.

Signed by authority of
the Secretary of State

John Silkin,
Minister for Planning and Local Government
Department of the Environment.

5th February 1976.

William Ross,
Secretary of State for Scotland.

10th February 1976.

John Morris,
Secretary of State for Wales.

11th February 1976

EXPLANATORY NOTE

(This Note is not part of the Order.)

Some provisions in the Community Land Act 1975 refer to “the appropriate Minister” in relation to statutory undertakers (examples are section 5(3) and paragraphs 5, 17, 18, 19 and 21 of Schedule 4). Section 5(4)(a) of the Act provides that, in relation to those statutory undertakers who are also statutory undertakers for the purposes of Part XI of the Town and Country Planning Act 1971 (c. 78) and Part XI of the Town and Country Planning (Scotland) Act 1972 (c. 52), the expression “the appropriate Minister” has the meaning it has for Part XI of those Acts.

For those statutory undertakers who are not statutory undertakers for the purposes of Part XI of the Planning Acts, section 5(4)(b) empowers the Secretary of State by order to designate the appropriate Minister. This order sets out who are to be the appropriate Ministers for the statutory undertakers named in the order.

Section 5(4)(b) also empowers the Secretary of State to give a meaning to references to the Secretary of State and the appropriate Minister. This order provides that, as respects the statutory undertakers named in it, the Secretary of State and the appropriate Minister shall mean the Secretary of State for the Environment, for Scotland or for Wales (as appropriate) and the appropriate Minister designated by the order for those undertakers.

SI 1976/199
ISBN 0-11-060199-8

