
Status: This is the original version (as it was originally enacted).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

SCHEDULES

FIRST SCHEDULE

Sections 12, 29.

COMPULSORY PURCHASE OF LAND UNDER PART II

- 1 (1) The Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply to a compulsory purchase of land under Part II of this Act as if this Act had been in force immediately before the commencement of that Act, but that Act and the enactments applied by that Act shall have effect subject to the provisions of this Act.
- (2) In the case of a compulsory purchase of land under Part II of this Act section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (which relates to promoters making good deficiencies in rates), shall not apply.
- (3) Any compensation payable in pursuance of a compulsory purchase under Part II of this Act by a local authority in respect of any lands, estate or interest of another local authority which would, but for this sub-paragraph, be paid into court in manner provided by the Lands Clauses Acts may, if the Minister consents, instead of being paid into court, be paid and applied as the Minister may determine.

A decision of the Minister under this sub-paragraph shall be final and conclusive.

- 2 (1) A notice relating to a compulsory purchase of land under Part II of this Act which by paragraph (b) of sub-paragraph (1) of paragraph 3 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, is to be served on an owner, lessee or occupier of such land may be served by addressing it to him by the description of "owner" or "lessee" or "occupier" of the land (describing it) to which it relates and by delivering it to some person on the premises or, if there is no person on the premises to whom it may be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.
- (2) The foregoing sub-paragraph shall be without prejudice to the methods of serving notices prescribed by paragraph 19 of the First Schedule to the said Act.

- 3 Where a local authority are authorised under Part II of this Act to purchase compulsorily any house (and, in the case of a purchase under section twelve of this Act, the house is to be used for housing purposes under Part V of this Act) and the local authority have acquired the right to enter on and take possession of the house by virtue of having served a notice under paragraph 3 of the Second Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, the local authority may, instead of exercising that right by taking actual possession of the house, proceed by serving notice on any person then in occupation of the house or any part thereof authorising him to continue in occupation upon terms specified in the notice, or on such other terms as may be agreed; and accordingly where the authority proceed in the manner authorised by this paragraph,—
 - (a) the like consequences shall then ensue, with respect to the determination of the rights and liabilities of any person arising out of any interest of his in the house or any part thereof, as would have ensued if the authority had

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

taken actual possession on the date of the notice, and the authority may deal with the premises in all respects as if they had done so ; and

- (b) for the purposes of section one hundred and twenty-one of the Lands Clauses Consolidation Act, 1845 (which provides for payment of compensation to persons entitled to possession under short tenancies who are required to give up possession), any person who by virtue of this paragraph ceases to be entitled to receive rent in respect of any premises shall be deemed to have been required to give up possession thereof.