



Acquisition of Land Act 1981

1981 CHAPTER 67

PART I

GENERAL

Interpretation

7 Interpretation.

(1) In this Act, except where the context otherwise requires—

“acquiring authority”, in relation to a compulsory purchase, means the Minister, local authority or other person who may be authorised to purchase the land compulsorily,

“compulsory purchase order” means an order under section 2(1) above,

“confirming authority”, in relation to a compulsory purchase, means, where the acquiring authority is not a Minister, the Minister having power to authorise the acquiring authority to purchase the land compulsorily,

“land”—

- (a) includes messuages, tenements and hereditaments, and
- (b) in relation to compulsory purchase under any enactment, includes anything falling within any definition of the expression in that enactment,
 - [^{F1}“local authority” means—
- (a) a charging authority, a precepting authority, a combined police authority or a combined fire authority, as defined in section 144 of the Local Government Finance Act 1988;
- (b) a levying body within the meaning of section 74 of that Act;
- (c) a body as regards which section 75 of that Act applies;
- (d) any joint board or joint committee if all the constituent authorities are such authorities as are described in paragraphs (a) to (c); and
- (e) the Honourable Society of the Inner Temple or the Honourable Society of the Middle Temple,]

Status: Point in time view as at 01/12/1991.

Changes to legislation: Acquisition of Land Act 1981, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“National Trust” means the National Trust for Places of Historic Interest or Natural Beauty incorporated by the ^{M1}National Trust Act 1907,

“owner” in relation to any land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the land under a lease or agreement, the unexpired term whereof exceeds three years [^{F2}and a person who would have power to sell and convey or release the land to the acquiring authority if a compulsory purchase order were operative],

“prescribed”: see subsection (2) below.

- (2) Anything which, by Part II or III of this Act, or Schedule 1 or 3 of this Act, is required or authorised to be prescribed shall be prescribed by regulations made by the Secretary of State by statutory instrument.

Subordinate Legislation Made

P1 s. 7 power exercised by S.I. 1982/6, 1990/613

Textual Amendments

F1 Definition substituted by S.I. 1990/776, art. 8 Sch. 3 Pt. I para. 23

F2 Words in s. 7 (definition of "owner") inserted (25.09.1991) by Planning and Compensation Act 1991 (c. 34, SIF 28:1), s. 70, Sch. 15 para. 9; S.I. 1991/2067, art.3.

Marginal Citations

M1 1907 c. cxxxvi.

8 Statutory undertakers.

- (1) In this Act, unless the context otherwise requires, “statutory undertakers” means—
- (a) any person authorised by any enactment to construct, work or carry on—
 - (i) any railway, light railway, tramway, road transport, water transport, canal or inland navigation undertaking, or
 - (ii) any dock, harbour, pier or lighthouse undertaking, or
 - (iii) any undertaking for the supply of . . . ^{F3}, . . . ^{F4}, [^{F5}or hydraulic power], or
 - (b) ^{F6} the Civil Aviation Authority, or
 - (c) the Post Office . . . ^{F7},
- and in this subsection “enactment” means any Act or any order or scheme made under or confirmed by an Act.

- (2) ^{F8}

- (3) In this Act “the appropriate Minister” means, in relation to any statutory undertakers, the Secretary of State.

- (4) If any question arises under this Act which Minister is the appropriate Minister, the question shall be determined by the Treasury.

Status: Point in time view as at 01/12/1991.

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Textual Amendments

- F3** Word repealed by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(4), **Sch. 18**
- F4** Word repealed by [Gas Act 1986 \(c. 44, SIF 44:1, 2\)](#), s. 67(4), **Sch. 9 Pt. I**
- F5** Words substituted by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 25 para. 65** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)
- F6** Words repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), **Sch. 6 Pt. I**
- F7** Words repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), Sch. 4 para. 3(1), s. 109(1)(4)(6), **Sch. 5 para. 45** and Sch. 7 Pt. I
- F8** [S. 8\(2\)](#) repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), **Sch. 6 Pt. I**

9 Land held inalienably.

For the removal of doubt it is hereby declared that any power conferred—

- (a) under this Act, or
- (b) by or under the Acquisition of Land (Authorisation Procedure) Act 1946, or any enactment passed before the commencement of that Act,

to purchase land compulsorily is, except in so far as any express provision of any such enactment restricts the exercise of the power, exercisable notwithstanding any other enactment providing that the land shall be inalienable.

Status:

Point in time view as at 01/12/1991.

Changes to legislation:

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