



# Mines and Quarries (Tips) Act 1969

## 1969 CHAPTER 10

### PART II

#### PREVENTION OF PUBLIC DANGER FROM DISUSED TIPS

#### **32 Raising of money in special cases to meet expenditure under Part II**

- (1) The provisions of this section shall have effect with respect to the raising of money in particular cases for the payment—
- (a) of any expenses incurred in carrying out remedial operations in pursuance of a notice under section 14 and in carrying out any consequential works of reinstatement;
  - (b) of any compensation recoverable under section 20 and referable to any such remedial operations or works of reinstatement; and
  - (c) of any sums recoverable under section 21 or section 23 or paragraph 6 of Schedule 2 to this Act;

and in the following provisions of this section the expression "relevant expenditure" means any such expenses, compensation or sums as are referred to in paragraphs (a), (b) and (c) above.

- (2) In relation to England and Wales—
- (a) the purposes authorised for the application of capital moneys by section 73 of the Settled Land Act 1925, by that section as applied by section 28 of the Law of Property Act 1925 in relation to trusts for sale and by section 26 of the Universities and College Estates Act 1925 shall include the payment of any relevant expenditure;
  - (b) the purposes authorised by section 71 of the Settled Land Act 1925, by that section as applied by section 28 of the Law of Property Act 1925 in relation to trusts for sale and by section 30 of the Universities and College Estates Act 1925 as purposes for which moneys may be raised by mortgage shall include the payment of any relevant expenditure ;
  - (c) the purposes authorised by section 25 of the Act of the fifty-seventh year of King George the Third, chapter 97, for the application of moneys arising by

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*Status: This is the original version (as it was originally enacted).*

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- any such sale of annuities standing in the name or to the account of the Duchy of Lancaster as is therein mentioned shall include the payment of any relevant expenditure arising by virtue of the application of any provision of this Part of this Act to property belonging to Her Majesty in right of that Duchy ; and
- (d) the purposes authorised by section 8 of the Duchy of Cornwall Management Act 1863 for the advancement of parts of such gross sums as are therein mentioned shall include the payment of any relevant expenditure arising by virtue of the application of any provision of this Part of this Act to property belonging to the Duchy of Cornwall.
- (3) In relation to Scotland, for the purpose of paying any relevant expenditure, a trustee, a liferenter or an heir of entail in possession shall have power to expend capital money and to sell, or to borrow money on the security of, the estate or any part thereof, heritable as well as moveable.