



Development of Rural Wales Act 1976

1976 CHAPTER 75

Supplemental

27 Amendments of Acts. **E+W+S**

The enactments specified in Schedule 7 to this Act shall be amended in accordance with the provisions of that Schedule.

Modifications etc. (not altering text)

- C1** The text of ss. 17(2), 23 and 27 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

28 Service of notices. **E+W+S**

- (1) This section has effect in relation to any document required or authorised by or under this Act to be served on any person other than a document in relation to which provision as to service is made by the new towns code or the [^{F1}Acquisition of Land Act 1981].
- (2) Any such document may be served on the person to be served either by delivering it to him, or by leaving it at his proper address, or by sending it by post.
- (3) Any such document required or authorised to be served on a body corporate or a firm shall be duly served if it is served on the secretary or clerk of that body or a partner of that firm.
- (4) For the purposes of this section, and of section 26 of the ^{M1}Interpretation Act 1889 in its application to this section, the proper address of a person shall be—
 - (a) in the case of a secretary or clerk of a body corporate, that of the registered or principal office of that body;
 - (b) in the case of a partner of a firm, that of the principal office of the firm;
 - (c) in any other case, the last known address of the person to be served.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Development of Rural Wales Act 1976, Cross Heading: Supplemental. (See end of Document for details)

Textual Amendments

F1 Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34(1), [Sch. 4 para. 1](#) Table

Marginal Citations

M1 [1889 c. 63.](#)

29 Regulations, orders and directions. E+W+S

- (1) The power to make regulations or orders under this Act (other than orders excepted from this provision by subsection (2) below) shall be exercisable by statutory instrument.
- (2) The orders excepted from subsection (1) above are compulsory purchase orders and orders under any provision of Schedule 3 to this Act.
- (3) A statutory instrument containing regulations made under this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) A statutory instrument containing an order under subsection (2) or (3) of section 1 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Any power to make an order (other than a compulsory purchase order) under this Act includes a power, exercisable in the like manner and subject to the like conditions, to vary or revoke the order.
- (6) A direction under any provision of this Act may be—
 - (a) either general or limited to a particular case or class of cases, or
 - (b) unconditional or subject to conditions,
 and may be varied or revoked by a subsequent direction under that provision.

30 Crown land. E+W+S

The powers conferred by this Act shall be exercisable, with the consent of the appropriate authority, in relation to Crown land, but none of the provisions of this Act shall be construed as prejudicing any Crown interest or Duchy interest in Crown land; and expressions used in this section and [^{F2}subsections (1) and (2) of section 293 of the Town and Country Planning Act 1990] have the same meaning in this section as in [^{F2}those subsections].

Textual Amendments

F2 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 37\(1\)](#)

^{F3}**31** **E+W+S**

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Textual Amendments

F3 S. 31 repealed by Finance Act 1985 (c. 54, SIF 63:1), s. 98(6), Sch. 27 Pt. X Note 2

32 Exemption from stamp duty. E+W+S

Stamp duty shall not be payable on an order under section 3(2)(a) or section 24 of this Act or on an order under paragraph 52 of Schedule 3 to this Act.

33 Expenses. E+W+S

There shall be paid out of money provided by Parliament—

- (a) any subsidy under this Act,
- (b) any grants or loans made or other sums paid by the Secretary of State under this Act,
- (c) any expenses of any Minister under this Act, and
- (d) any increase in the sums payable out of money provided by Parliament under any other Act which is attributable to this Act.

34 Interpretation. E+W+S

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

“accounting year”, in relation to the Board, means the period of twelve months ending with the 31st March in any year, except that the Board’s first accounting year shall begin with the day on which the Board is incorporated by virtue of this Act and end on 31st March 1978;

“acquired under the new towns code”, and cognate expressions, have the meanings given by paragraph 56 of Schedule 3 to this Act;

“appropriate Minister” has the meaning given by paragraph 56 of Schedule 3 to this Act;

“development”, in relation to a new town, includes laying out and redevelopment;

“farming” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur or the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” and “agricultural operations” shall be construed accordingly;

“housing account dwelling”, in relation to the Board, means a dwelling which is within the Board’s housing account but excluding a dwelling for the time being let on a long tenancy at a low rent within the meaning of the^{M2}Leasehold Reform Act 1967 and a dwelling no longer owned by the Board;

“industrial” is to be taken as including a reference to any description of commercial activity;

“land” includes any estate or interest in or right over land;

“local authority” means the council of a county, of a district or of a community and includes any joint board or joint committee if all the constituent authorities are local authorities;

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“local highway authority” means a highway authority other than the Secretary of State;

“new town” and “area of a new town” have the same meanings as in the [F4New Towns Act 1981];

“the new towns code” has the meaning given by section 5(2) of this Act;

“operational land”, in relation to statutory undertakers, means—

- (a) land which is used for the purpose of carrying on their undertaking, and
- (b) land in which an interest is held for that purpose,

not being land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or in which interests are held, for the purpose of the carrying on of statutory undertakings;

“statutory undertakers” means—

- (a) persons authorised by virtue of any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of . . . F5, . . . F6[F7hydraulic power or water][F7or hydraulic power], and
- (b) . . . F8the Civil Aviation Authority, the [F9British Coal Corporation], the Post Office, the United Kingdom Atomic Energy Authority;

and “statutory undertaking” shall be construed accordingly.

- (2) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended, applied or extended by or under any other enactment, including this Act.

Textual Amendments

- F4** Words substituted by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), [Sch. 12 para. 21\(b\)](#)
- F5** Word repealed by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(3)(4), Sch. 17 paras. 33, 35(1), [Sch. 18](#)
- F6** Word and comma repealed by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(4), [Sch. 9 Pt. I](#)
- F7** Words “or hydraulic power” substituted (E.W.) for the words “hydraulic power or water” by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, [Sch. 25 para. 54](#) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)
- F8** Words repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), [Sch. 6 Pt. I](#)
- F9** Words substituted by [Coal Industry Act 1987 \(c. 3, SIF 86\)](#), s. 1(2)(3), [Sch. 1 para. 33](#)

Marginal Citations

- M2** 1967 c. 88.

35 Citation commencement and extent. **E+W+S**

- (1) This Act may be cited as the Development of Rural Wales Act 1976.
- (2) This Act (except this section) shall come into operation on such day as the Secretary of State may by order appoint and different days may be appointed under this subsection for different provisions of this Act.
- (3) With the exception of paragraph 8 of Schedule 1, this Act does not extend to Northern Ireland.

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Modifications etc. (not altering text)

C2 Power of appointment conferred by s. 35(2) fully exercised.

Status:

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Changes to legislation:

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