



New Towns Act 1981

1981 CHAPTER 64

PART V

GENERAL AND SUPPLEMENTAL

Miscellaneous

78 Meaning etc. of “appropriate Minister”.

(1) In this Act “the appropriate Minister” means—

- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour or pier undertaking, the Secretary of State for Transport;
- (b) in relation to statutory undertakers carrying on an undertaking for the supply of . . . ^{F1} hydraulic power, the [^{F2}Secretary of State for Trade and Industry];
- (c) in relation to . . . ^{F3} the Civil Aviation Authority or statutory undertakers carrying on any lighthouse undertaking, the Secretary of State for Trade;
- (d) in relation to [^{F4}a universal postal service provider] . . . ^{F5}, the Secretary of State for Industry;
- (e) ^{F6}
- (f) in relation to any other statutory undertakers, the Secretary of State for the Environment.

(2) References in this Act to the Secretary of State and the appropriate Minister have effect—

- (a) as references to the Secretary of State and the appropriate Minister, if the appropriate Minister is not the one concerned as the Secretary of State; and
- (b) as references to the one concerned as the Secretary of State alone, if he is also the appropriate Minister.

(3) If any question arises—

Changes to legislation: New Towns Act 1981, Section 78 is up to date with all changes known to be in force on or before 01 July 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) View outstanding changes

- (a) in relation to anything required or authorised to be done under this Act as to which Minister is or was the appropriate Minister in relation to any statutory undertakers, that question shall be determined by the Treasury;
- (b) in relation to the authorisation under this Act of a compulsory acquisition of land, whether land of statutory undertakers is operational land, that question shall be determined by the Secretary of State and the appropriate Minister.

Textual Amendments

- F1** Words repealed by virtue of [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 67(4), **Sch. 9 Pt. I** and by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(4), **Sch. 18** (with s. 112(3), Sch. 17 para. 35(1))
- F2** Words in s. 78(1) substituted (5.7.1992) by S.I. 1992/1314, art. 3(3), **Sch. 1**, para. 1(c)
- F3** Words repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), **Sch. 6 Pt. I**
- F4** Words in s. 78(1)(d) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 51** (subject to art. 1(3))
- F5** Words repealed by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), **Sch. 7 Pt. I**
- F6** S. 78(1)(e) repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(3), Sch. 27 Pt. I (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), 41(1), 57(6), **58**)

Modifications etc. (not altering text)

- C1** S. 78(1)(a) transfer of functions (7.5.2008) by [Transfer of Functions \(Miscellaneous\) Order 2008 \(S.I. 2008/1034\)](#), arts. 1(2), **5**
- C2** S. 78(1)(b) transfer of functions (5.3.2009) by [Secretary of State for Energy and Climate Change Order 2009 \(S.I. 2009/229\)](#), arts. 1(2), 4, **Sch. 1(b)**
- C3** S. 78(1)(f) transfer of functions (7.5.2008) by [Transfer of Functions \(Miscellaneous\) Order 2008 \(S.I. 2008/1034\)](#), arts. 1(2), **5**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1A(1) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(2) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(4) word inserted by [2023 c. 55 Sch. 16 para. 7\(4\)\(b\)](#)
- s. 1A(4) words substituted by [2023 c. 55 Sch. 16 para. 7\(4\)\(a\)](#)
- s. 1A(5)(a) words substituted by [2023 c. 55 Sch. 16 para. 7\(5\)\(a\)](#)
- s. 1ZA1ZB inserted by [2023 c. 55 s. 172\(2\)](#)
- s. 2(1A) inserted by [2023 c. 55 Sch. 16 para. 8](#)
- s. 3(2B)-(2D) inserted by [2023 c. 55 s. 172\(3\)\(c\)](#)
- s. 3(2ZA)(2ZB) inserted by [2023 c. 55 s. 178\(2\)\(b\)](#)
- s. 7A7B inserted by [2023 c. 55 s. 175\(2\)](#)
- s. 60(1A) inserted by [2023 c. 55 s. 179\(2\)\(b\)](#)
- s. 77(3E) inserted by [2023 c. 55 Sch. 17 para. 1\(3\)](#)
- Sch. 3 para. 10A10B and cross-heading inserted by [2023 c. 55 s. 175\(3\)](#)