



# Compulsory Purchase (Vesting Declarations) Act 1981

## 1981 CHAPTER 66

### PART I

#### GENERAL

#### **1 Application of Act.**

- (1) This Act has effect for the purpose of enabling any authority to whom this section applies to vest in themselves by a declaration land which they are authorised by a compulsory purchase order to acquire, and with respect to connected matters.
- (2) This section applies to any Minister of local or other public authority authorised to acquire land by means of a compulsory purchase order.

#### **2 Interpretation and construction.**

- (1) In this Act—

“acquiring authority” means a Minister or other authority to whom section 1 above applies,

“general vesting declaration” means a declaration executed under section 4 below,

“land”, in relation to compulsory acquisition by an acquiring authority, has the same meaning as in the relevant enactments,

“long tenancy which is about to expire” has the meaning given by subsection (2) below,

“minor tenancy” means a tenancy for a year or from year to year, or any lesser interest,

“prescribed” means prescribed by regulations made by the Secretary of State which shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament,

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“relevant enactments”, in relation to an acquiring authority, means the enactments under which that authority may acquire or be authorised to acquire land compulsorily and which prescribe a procedure for effecting the compulsory acquisition by them by means of a compulsory purchase order,

“tenancy” has the same meaning as in the <sup>M1</sup>Landlord and Tenant Act 1954,

“vesting date”, in relation to a general vesting declaration, has the meaning given by section 4(3) below.

- (2) In this Act “long tenancy which is about to expire”, in relation to a general vesting declaration, means a tenancy granted for an interest greater than a minor tenancy, but having on the vesting date a period still to run which is not more than the specified period (that is to say, such period, longer than one year, as may for the purposes of this definition be specified in the declaration in relation to the land in which the tenancy subsists).

In determining for the purposes of this subsection what period a tenancy still has to run on the vesting date it shall be assumed—

- (a) that the tenant will exercise any option to renew the tenancy, and will not exercise any option to terminate the tenancy, then or thereafter available to him,
- (b) that the landlord will exercise any option to terminate the tenancy then or thereafter available to him.

- (3) [<sup>F1</sup>Section 330 of the <sup>M2</sup>Town and Country Planning Act 1990] (information as to interests in land) shall have effect as if this Act were part of that Act.

#### Textual Amendments

- F1** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 52\(1\)](#)

#### Marginal Citations

- M1** 1954 c. 56.  
**M2** 1990 c. 8.

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