



Post Office Act 1908

1908 CHAPTER 48 8 Edw 7

LAND

45 Holding of lands by Postmaster-General

- (1) For the purpose of acquiring and holding land the Postmaster-General for the time being shall continue to be a corporation sole by the name of His Majesty's Postmaster-General, and by that name shall have perpetual succession and an official seal.
- (2) All land vested in the Postmaster-General shall be held in trust for His Majesty for the purpose of the Post Office.

46 Power of Postmaster-General for purchase of land

- (1) The Postmaster-General, with the consent of the Treasury, may purchase land for the purpose of the Post Office.
- (2) With respect to any such purchase of land in the United Kingdom the following provisions shall have effect (that is to say) :—
 - (a) The Lands Clauses Acts shall be incorporated with this Act, except the provisions relating to access to the special Act, and in construing those Acts for the purposes of this section “the special Act ” shall be construed to mean this Act, and “the promoters of the undertaking” shall be construed to mean the Postmaster-General, and “land ” shall be construed to have the meaning given to it by this Act:
 - (b) The bond required by section eighty-five of the Lands Clauses Consolidation Act, 1845, and by section eighty-four of the Lands Clauses Consolidation (Scotland) Act, 1845, shall be under the seal of the Postmaster-General, and shall be sufficient without sureties :
 - (c) The provisions of the incorporated Acts with respect to the purchase of land compulsorily shall not be put in force until the sanction of Parliament has been obtained in manner in this Act mentioned:
 - (d) Three months at the least before an application is made to Parliament for sanction to the compulsory purchase of land under this Act, the Postmaster-

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General, with the consent of the Treasury, shall serve a notice on every owner or reputed owner, lessee or reputed lessee, and occupier of any land intended to be so purchased, describing the land intended to be taken, and in general terms the purposes to which it is to be applied, and stating the intention of the Treasury to obtain the sanction of Parliament to the purchase thereof, and inquiring whether the person so served assents or dissents to the taking of his land, and requesting him to forward to the Treasury any objections he may have to his land being taken :

- (e) The Treasury shall, at some time after the service of the notice, make a local inquiry by a competent officer into the objections made by any persons whose land is required to be taken, and by other persons, if any, interested in the subject matter of the inquiry :
 - (f) The Treasury, if satisfied after the inquiry has been made that the land ought to be taken, may submit a Bill to Parliament containing provisions authorising the Postmaster-General to take the land, and any such Bill shall be deemed to be a Public Bill, and, if passed into an Act, to have conveyed the sanction of Parliament to the purchase compulsorily of the land therein mentioned or referred to, and the period for the compulsory purchase shall be three years after the passing of the Act: Provided that, if while the Bill is pending in either House of Parliament a petition is presented against anything comprised therein, the Bill may be referred to a Select Committee and the petitioner shall be allowed to appear and oppose as in the case of Private Bills.
- (3) The Chancellor and Council of the Duchy of Lancaster may, if they think fit, agree with the Postmaster-General for the sale of, and absolutely make sale of, for such sum of money as to the said Chancellor and Council appear sufficient consideration for the same, any land belonging to His Majesty in right of the said duchy, which, for the purpose of the Post Office, the Postmaster-General may deem it expedient, with the consent of the Treasury, to purchase, and the land may be assured to the Postmaster-General, and the money shall be paid and dealt with as if the land had been sold under the authority of the Duchy of Lancaster Lands Act, 1855.
- (4) For the purposes of this section and the section of this Act the marginal note Avhereof is "Holding of lands by Post-master-General" the expression "land" shall include any right or easement in, over, or in respect of land.

47 Power of Postmaster-General to sell or exchange lands

- (1) The Postmaster-General may, with the consent of the Treasury, sell, exchange, lease, or surrender on any terms, any land for the time being vested in him, and on any such exchange may give or receive any money for equality of exchange ; and may sell either by public auction or by private contract, and may make any stipulations, as to title or otherwise, in any conditions of sale or contract for sale or exchange, and may buy in at any auction, and may rescind or vary any contract for sale or exchange, and may re-sell or re-exchange any such land.
- (2) On any sale, exchange, lease, or surrender, the Postmaster-General may stipulate for, create, or reserve all such rights or easements as may be deemed proper.
- (3) A person dealing with the Postmaster-General in respect of land or rights in or over land, whether as vendor, lessor, purchaser, lessee, or otherwise, shall not be bound or entitled to inquire whether the consent of the Treasury has been given to that dealing, or whether the dealing is in fact authorised by any Act relating to the Post Office.