

Electricity Act 1957

1957 CHAPTER 48

Miscellaneous and supplementary provisions

28 Supply of electricity to railways

- (1) Subject to the provisions of this section, it shall be the duty of the Generating Board to provide in England and Wales, and it shall be the duty of the Scottish Electricity Boards to provide in their respective Districts, a supply of electricity to meet the requirements for haulage or traction of railway undertakers.
- (2) A supply of electricity to railway undertakers may be provided—
 - (a) in England or Wales by the South of Scotland Board with the approval of the Generating Board;
 - (b) in the South of Scotland District by the Generating Board with the approval of the South of Scotland Board; or
 - (c) in the District of either of the Scottish Electricity Boards by the other of them, with the approval of the Board in whose District the supply is provided.
- (3) An Area Board shall not, except with the approval of the Generating Board, supply electricity to railway undertakers for purposes of haulage or traction.
- (4) Nothing in the last preceding subsection shall be construed as authorising an Area Board to supply electricity to railway undertakers in the area of another Area Board, or in the District of a Scottish Electricity Board, except with the agreement of that Board or an authorisation given by the Electricity Council or the Secretary of State (in accordance with the provisions of subsections (4) and (5) of section one of the principal Act), as well as the approval of the Generating Board as required by the last preceding subsection.
- (5) The terms and conditions on which electricity is supplied by an Electricity Board to any railway undertakers for the purposes of haulage or traction shall be such as may be agreed between the Board and the undertakers or, in default of such agreement, as may be determined by the appropriate Ministers:

Provided that any terms and conditions so agreed or determined shall be such as, in the opinion of the Board, or of the appropriate Ministers, as the case may be, will not cause a financial loss to result to the Board from the provision of the supply.

- (6) Where the terms and conditions on which electricity is supplied by an Electricity Board to any railway undertakers for purposes of haulage or traction are determined by the appropriate Ministers, that determination—
 - (a) shall not extend to the terms and conditions on which any electricity so supplied may be used by the undertakers for other purposes, and
 - (b) shall not be taken to preclude the Board and the undertakers from subsequently varying the terms and conditions so determined by agreement between them.
- (7) An Electricity Board may enter into an agreement with any railway undertakers, to whom the Board are to supply electricity for purposes of haulage or traction, whereby any of that electricity may be used by the undertakers for other purposes, on such terms and conditions as may be specified in the agreement.
- (8) Without prejudice to any other enactment providing for the protection of telegraphic lines belonging to or used by the Postmaster General, any electricity supplied under this section to any railway undertakers shall be used in such manner as not to cause, or to be likely to cause, any interference (whether by induction or otherwise) with any such telegraphic line, or with telegraphic communication by means of any such line.
- (9) In this section "the appropriate Ministers", in relation to Electricity Boards in England and Wales, means the Minister and the Minister of Transport and Civil Aviation acting jointly, and, in relation to Scottish Electricity Boards, means the Secretary of State and the Minister of Transport and Civil Aviation acting jointly, and "telegraphic line" has the same meaning as in the Telegraph Act, 1878.

29 Maximum charges for reselling electricity supplied by Electricity Boards

- (1) An Area Board, or either of the Scottish Electricity Boards, may publish a notice fixing maximum charges in consideration of which electricity supplied by the Board may be resold by persons to whom it is so supplied, or by any class of such persons specified in the notice.
- (2) Any notice under this section shall be published in such manner as in the opinion of the Board will secure adequate publicity for it; and the maximum charges fixed by any such notice may be varied by a subsequent notice published by the Board in accordance with this subsection.
- (3) Different maximum charges may be fixed by a Board under this section for different classes of cases, whether by reference to different parts of the area or District of the Board or to different tariffs under which electricity is supplied by the Board or to any other relevant circumstances.
- (4) If any person, in consideration of the resale of any electricity supplied by an Area Board or Scottish Electricity Board, in circumstances to which a notice published by the Board under this section applies, requires the payment of charges exceeding the maximum charges applicable thereto in accordance with the notice, the amount of the excess shall be recoverable by the person to whom the electricity is resold.

(5) So much of section eighteen of the Gasworks Clauses Act, 1847, as incorporated with the Electric Lighting Act, 1882, as provides for a penalty to be imposed on persons who supply persons with electricity supplied to them, shall cease to have effect.

30 Certification of meters

- (1) With regard to the certification of meters under the provisions of the Schedule to the Electric Lighting (Clauses) Act, 1899, as incorporated with the principal Act (in this Act referred to as " the Schedule of 1899 "), the Minister may by order provide, either in relation to meters generally or in relation to meters of any class specified in the order.—
 - (a) that, where a meter is certified under the provisions of the Schedule of 1899 after the date on which the order comes into operation, that certification (if it has not previously ceased to have effect) shall cease to have effect at the end of such period, beginning with the date of the certification, as may be specified in the order;
 - (b) that the certification of a meter under those provisions, where it was effected before the passing of this Act, or thereafter but before the date on which the order comes into operation, shall cease to have effect (if it has not previously ceased to have effect) either on the date on which the order comes into operation, or at the end of such period beginning with the date of the certification as may be specified in the order, whichever is the later;
 - (c) that, notwithstanding the proviso to section fifty of the Schedule of 1899 (under which, if a certified meter is altered, it ceases to be certified until recertified), the making in a meter of an alteration of a description specified in the order (being a description of alteration appearing to the Minister to be such as not to affect the ascertainment of the value of the supply) shall not cause the meter to cease to be a certified meter;
 - (d) that, where a certified meter is moved in circumstances specified in the order, the certification of the meter shall thereupon cease to have effect, notwithstanding that the move does not involve any alteration of the meter.
- (2) Any order made under the preceding subsection may be revoked or varied by a subsequent order thereunder; and the power to make orders under that subsection shall be exerciseable by statutory instrument, and any instrument containing such an order shall be laid before Parliament.
- (3) The Minister may give directions to Electricity Boards—
 - (a) as to the examination and testing of meters by those Boards, by the use of apparatus provided in accordance with section two of the Electricity Supply (Meters) Act, 1936, before submitting the meters to a meter examiner for certification;
 - (b) as to the making of reports by those Boards on meters examined and tested by them, and as to the information to be included in such reports;
 - (c) as to the sealing and unsealing of meters, and, in particular, as to the custody and use of apparatus for sealing meters and the keeping of records in connection therewith.
- (4) A meter examiner may certify a meter under the provisions of the Schedule of 1899, notwithstanding that he has not himself examined or tested it, if—
 - (a) the meter is submitted to him for certification by an Electricity Board, together with a report stating that the Board have examined and tested the meter in

- accordance with directions given by the Minister under the last preceding subsection, and containing the information required by those directions;
- (b) the information contained in the report is such as to indicate, in the opinion of the meter examiner, that the meter is entitled to be certified;
- (c) the meter is one of a number submitted to the meter examiner together at the same time by the same Electricity Board; and
- (d) the meter examiner, by the use of apparatus provided in accordance with section two of the said Act of 1936, has himself examined and tested such number of those meters as he may consider sufficient to constitute a reasonable test of all the meters submitted to him by the Board for certification on that occasion.
- (5) If any Electricity Board, on or after the first day of July, nineteen hundred and fiftyeight, instals a meter for the purpose of ascertaining the value of the supply, and that meter, at the time when it is installed, is not duly certified under the provisions of the Schedule of 1899, the Board shall be guilty of an offence:

Provided that, in any proceedings against an Electricity Board for an offence under this subsection, it shall be a defence for the Board to prove that the meter was installed in pursuance of an agreement in writing with the consumer whereby it was agreed that the value of the supply should be ascertained otherwise than by means of a meter so certified.

(6) Where a meter—

- (a) is in use immediately before the said first day of July for the purpose of ascertaining the value of the supply, and is then a meter duly certified under the provisions of the Schedule of 1899, but ceases to be so certified on or after that day, or
- (b) is installed for that purpose on or after that day, and at the time of its installation is duly certified under those provisions, but subsequently ceases to be so certified.

then if, as soon as practicable after the meter has ceased to be so certified, the Electricity Board providing the supply does not take all reasonable steps either for causing the meter to be recertified under those provisions, or for removing it or (if it is not reasonably practicable to remove it) for ceasing to supply energy through it, the Board shall be guilty of an offence:

Provided that, in any proceedings against an Electricity Board for an offence under this subsection, it shall be a defence for the Board to prove that the meter ceased to be certified under the said provisions by reason only of its being altered or moved without the knowledge of the Board.

- (7) An Electricity Board guilty of an offence under this section shall be liable on summary conviction—
 - (a) if it is the first conviction of that Board of an offence under this section, to a fine not exceeding ten pounds;
 - (b) in any other case, to a fine not exceeding twenty pounds.
- (8) No proceedings shall be brought in England or Wales for an offence under this section except by or with the consent of the Minister or the Director of Public Prosecutions.
- (9) In this section " the value of the supply " has the same meaning as in the Schedule of 1899, and " meter examiner " has the same meaning as in the Electricity Supply (Meters) Act, 1936.

31 Placing of service lines above ground

Paragraph (b) of section ten of the Schedule of 1899 (which restricts the placing of electric lines above ground) shall cease to apply to service lines; and accordingly in that paragraph after the words " electric line " there shall be inserted the words " other than a service line ", and the words " and except so much of any service line as is necessarily so placed for the purpose of supply " shall be omitted.

Further provisions as to placing of electric lines

- (1) Every application for the consent or authorisation of the Minister under paragraph (b) of section ten of the Schedule of 1899 (in this section referred to as "section ten (b)")—
 - (a) shall be in writing;
 - (b) shall describe by reference to a map the land across which the electric line is proposed to be placed; and
 - (c) shall state whether all necessary wayleaves have been agreed with owners and occupiers of land proposed to be crossed by the line.
- (2) Where such an application made by an Electricity Board states that all necessary wayleaves have not been agreed as mentioned in paragraph (c) of the preceding subsection, the Minister, if he thinks fit, may give notice to the Board that he does not propose to proceed with the application until he is satisfied, with respect to all the land over which wayleaves have not been agreed, that the Board have taken such action on their part as is mentioned in subsection (1) of section forty-four of the Electricity (Supply) Act, 1926 (which enables applications for consent or authorisation under section ten (b) and applications in respect of wayleaves to be taken concurrently); and where the Minister gives such a notice under this subsection—
 - (a) the Minister shall not be required to proceed with the application until he is satisfied that the Board have taken all the requisite action in accordance with the notice, and
 - (b) the provisions of subsection (1) of the said section forty-four as to concurrent proceedings shall apply accordingly.
- (3) Where an application for consent or authorisation under section ten (b) states that all necessary wayleaves have not been agreed, but the Minister does not proceed concurrently as mentioned in subsection (1) of the said section forty-four, the Minister, if he gives his consent or authorisation under section ten (b), may give it subject to the condition (either in respect of the whole of the line or in respect of any part of it specified in the consent or authorisation) that the work is not to proceed until the Minister gives his permission; and in determining at any time whether to give permission for the work to proceed, either generally or in respect of a part of the line, the Minister—
 - (a) shall have regard to the extent to which the necessary wayleaves have been agreed by that time, and
 - (b) in so far as any such wayleaves have not then been agreed in respect of any part of the line, shall take into account any prejudicial effect which, in his opinion, the giving of permission (whether in respect of that part or of any adjacent part of the line) might have on any subsequent proceedings relating to the outstanding wayleaves.
- (4) In the application of this section to Scotland, for any reference to the Minister there shall be substituted a reference to the Secretary of State.

33 Provisions as to construction or extension of generating stations

- (1) Where under section two of the Electric Lighting Act, 1909 (which relates to the construction or extension of generating stations), notice, and an opportunity of stating objections, are required to be given to the local authority of the district in which the land in question is situated, the like requirements as to notice, and as to an opportunity of stating objections, shall apply in relation to the local planning authority in whose area the land is situated.
- (2) An application for the consent of the Minister or of the Secretary of State under the said section two shall be in writing, and shall describe by reference to a map the land in relation to which the consent is required.
- (3) In this and the next following section "local planning authority", in relation to England and Wales, has the same meaning as in the Town and Country Planning Act, 1947, and, in relation to Scotland, has the same meaning as in the Town and Country Planning (Scotland) Act, 1947.

34 Special provisions as to public inquiries

(1) Where an application has been made to the Minister for his consent or authorisation under paragraph (b) of section ten of the Schedule of 1899, or for his consent under section two of the Electric Lighting Act, 1909, and the local planning authority have notified the Minister that they object to the application, and that objection of the local planning authority has not been withdrawn, the Minister (either in addition to, or in lieu of, any other hearing or opportunity of stating objections) shall cause a public inquiry to be held, and, before determining whether to give his consent or authorisation, shall consider the objection and the report of the person who held the inquiry:

Provided that this subsection shall not apply where the Minister proposes to accede to the application subject to such modifications or conditions as will give effect to the objection of the local planning authority.

- (2) In relation to applications for consent under section two of the Electric Lighting Act, 1909, and to applications for consent or authorisation under paragraph (b) of section ten of the Schedule of 1899 in respect of the placing of high voltage lines, the Minister shall make provision by regulations for securing—
 - (a) that (in addition to any notice required to be given under section two of the said Act of 1909) notice of every such application shall be published in such manner as may be specified in the regulations;
 - (b) that (in addition to any notice required to be given under the said section two, and to the publication of notices in accordance with the preceding paragraph) notice of any such application shall, where the Minister so directs, be served upon such persons as may be specified in the directions;
 - (c) that every notice published or served in pursuance of the regulations shall state the time within which, and the manner in which, objections to the application can be made by persons other than those to whom (under the said section two, or under section twenty-one of the Electricity (Supply) Act, 1919) an opportunity of being heard or of stating objections is required to be given, and that the time so stated shall not be less than such minimum period as may be specified in the regulations; and
 - (d) that, in so far as any such notice requires objections to be sent to any person other than the Minister, copies of the objections shall be sent to the Minister by that person:

Provided that, in relation to applications for consent under the said section two to the extension of generating stations, any regulations made under this subsection may include provision for enabling the Minister to give directions dispensing with the requirements of the regulations, in cases where in accordance with that section the Minister dispenses with the giving of notices thereunder.

- (3) Where, in the case of any such application as is mentioned in the last preceding subsection,—
 - (a) the Minister is not required by virtue of subsection (1) of this section to cause a public inquiry to be held, but
 - (b) objections or copies of objections have been sent to the Minister in pursuance of regulations made under the last preceding subsection,

the Minister shall consider those objections, together with all other material considerations, with a view to determining whether a public inquiry should be held with respect to the application, and, if he thinks it appropriate to do so, shall cause a public inquiry to be held, either in addition to, or in lieu of, any other hearing or opportunity of stating objections to the application.

- (4) Where in accordance with any of the preceding provisions of this section a public inquiry is to be held in respect of an application by an Electricity Board, the Minister shall inform the Board accordingly; and the Board shall in two successive weeks publish a notice stating—
 - (a) the fact that the application has been made, and the purpose thereof, together with a description of the land to which it relates;
 - (b) a place in the locality where a copy of the application, and of the map referred to therein, can be inspected; and
 - (c) the place, date and time of the public inquiry.
- (5) A notice under the last preceding subsection shall be published in one or more local newspapers circulating in the locality in which the land in question is situated, or circulating respectively in the several localities in which different parts of that land are situated, as the Board publishing the notice may consider appropriate.
- (6) If it appears to the Minister that, in addition to the publication of a notice in accordance with subsections (4) and (5) of this section, further notification of the public inquiry should be given (either by the service of notices, or by advertisement, or in any other way) in order to secure that the information specified in paragraphs (a) to (c) of subsection (4) of this section is sufficiently made known to persons in the locality, the Minister may direct the Board to take such further steps for that purpose as may be specified in the direction.
- (7) Where in accordance with this section a public inquiry is to be held in respect of an application for the consent or authorisation of the Minister under paragraph (b) of section ten of the Schedule of 1899, and (whether in pursuance of subsection (2) of section thirty-two of this Act or otherwise) the Minister is proceeding concurrently as mentioned in subsection (1) of section forty-four of the Electricity (Supply) Act, 1926, the public inquiry shall extend to all the matters arising in those concurrent proceedings, and any notice of the inquiry (in addition to any other matters required to be stated therein) shall indicate the extent of the inquiry accordingly.
- (8) The provisions of the Second Schedule to this Act shall have effect for the purposes of this section.

- (9) In the application of this section to Scotland.—
 - (a) for any reference to the Minister there shall be substituted a reference to the Secretary of State; and
 - (b) subsections (4) and (5) shall not apply, and for subsection (6) there shall be substituted the following subsection:—
 - "(6) Where in pursuance of subsection (1) or subsection (3) of this section a public inquiry is to be held, and it appears to the Secretary of State that in addition to any public notice of such an inquiry any further notification concerning the inquiry is necessary or expedient (either by way of service of notice upon any person or in any other way), the Secretary of State may direct the Board to take such further steps for this purpose as may be specified in the direction."
- (10) In this section "high voltage line" means an electric line for conveying or transmitting electricity at or above a voltage of one hundred and thirty-two thousand.

35 Entry on land for purposes of exploration

- (1) Without prejudice to any other rights of entry exercisable by Electricity Boards, an Electricity Board, or any person duly authorised in writing by an Electricity Board, may, at any reasonable time, enter upon and survey any land, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of any functions of the Board.
- (2) Subsections (4), (5) and (9) of section one hundred and three of the Town and Country Planning Act, 1947 (which contain supplementary provisions relating to the right of entry conferred by that section) shall apply in relation to the powers conferred by this section as they apply in relation to the powers conferred by that section:

Provided that—

- (a) subsection (4) of that section (which requires twenty-four hours' notice to be given of an intended entry upon any occupied land) shall so apply as if for the words " twenty-four hours " there were substituted the words " twenty-eight days "; and
- (b) subsection (9) of that section (which relates to power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein) shall so apply as if the words " or the presence of minerals therein " were omitted.
- (3) Where in the exercise of any power conferred by this section any damage is caused to land or to chattels, any person interested in the land or chattels may recover compensation in respect of that damage from the Electricity Board by whom or on whose behalf the power is exercised; and where in consequence of the exercise of any such power any person is disturbed in his enjoyment of any land or chattels, he may recover from that Electricity Board compensation in respect of the disturbance.
- (4) Subsection (1) of section one hundred and ten of the Town and Country Planning Act, 1947 (which provides for the determination of disputes as to compensation under that Act), shall apply to any question of disputed compensation under this section.
- (5) In relation to Scotland, any reference in this section to section one hundred and three of the Town and Country Planning Act, 1947, shall be construed as a reference to section

ninety-nine of the Town and Country Planning (Scotland) Act, 1947; any reference to section one hundred and ten of the Town and Country Planning Act, 1947, shall be construed as a reference to section one hundred and five of the Town and Country Planning (Scotland) Act, 1947; and any reference to chattels shall be construed as a reference to corporeal moveables.

36 Expedition of highway procedure in connection with electricity works

- (1) Where the Minister of Transport and Civil Aviation proposes to make an order under section forty-nine of the Town and Country Planning Act, 1947 (under which that Minister is empowered to authorise the stopping up or diversion of highways), and it appears to him that the development in question is to be carried out by an Electricity Board, and is development in connection with the generation of electricity, he may certify accordingly; and where a certificate is given under this subsection, the Sixth Schedule to the said Act of 1947 (which relates to the procedure to be followed in connection with the making of an order under the said section forty-nine) shall apply as if—
 - (a) in sub-paragraph (b) of paragraph 1 of that Schedule (which requires a copy of the draft order to be available for inspection during a period of three months), and
 - (b) in paragraph 4 of that Schedule (which relates to the procedure where an objection is received before the end of that period),

for the words " three months " there were substituted the words " thirty days ".

(2) In relation to Scotland the preceding subsection shall have effect with the substitution, for references to the Minister of Transport and Civil Aviation, to the Town and Country Planning Act, 1947, and to section forty-nine of that Act, of references to the Secretary of State, to the Town and Country Planning (Scotland) Act, 1947, and to section forty-six of that Act.

37 Preservation of amenity

In formulating or considering any proposals relating to the functions of the Generating Board or of any of the Area Boards (including any such general programme as is mentioned in subsection (4) of section eight of this Act), the Board in question, the Electricity Council and the Minister, having regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest, and of protecting buildings and other objects of architectural or historic interest, shall each take into account any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, buildings or objects.

38 Status of Electricity Council, Generating Board and Area Boards

It is hereby declared for the avoidance of doubt that neither the Electricity Council nor the Generating Board nor any of the Area Boards are to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown, and no property of the Council or of any of those Boards is to be regarded as property of, or held on behalf of, the Crown.

39 Administrative expenses

There shall be defrayed out of moneys provided by Parliament any administrative expenses incurred by the Minister, or by any other Minister of the Crown or Government department, in consequence of the provisions of this Act.

40 Interpretation

- (1) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say:—
 - " Exchequer advances " has the meaning assigned to it by section fifteen of this Act;
 - " the Generating Board " has the meaning assigned to it by section two of this Act:
 - " performance ", in relation to functions, includes the exercise of powers as well as the performance of duties, and " perform " shall be construed accordingly;
 - " the principal Act " means the Electricity Act, 1947;
 - " the Schedule of 1899 " has the meaning assigned to it by section thirty of this Act;
 - "the vesting date" has the meaning assigned to it by section one of this Act; and, except in so far as the context otherwise requires, other expressions used in this Act and in the principal Act have the same meanings in this Act as in that Act.
- (2) Any provision of this Act conferring a power to give directions, if it does not expressly provide that the directions shall be of a general character, shall be construed as conferring a power to give directions either of a general or of a specific character; and every provision of this Act conferring a power to give directions shall be construed as imposing, on any person to whom directions are given thereunder, a duty to comply with those directions.
- (3) 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 by or under any other enactment, including this Act.

41 Transitional provisions

The transitional provisions contained in the Third Schedule to this Act shall have effect for the purposes of this Act.

42 Amendment and adaptation of enactments, and repeals

- (1) Without prejudice to the amendments and adaptations of enactments having effect by virtue of the preceding provisions of this Act, the enactments specified in the Fourth Schedule to this Act, and all other enactments (including local enactments) to which any general provisions of Part II of that Schedule apply, shall have effect subject to the amendments and adaptations specified in that Schedule, being—
 - (a) amendments and adaptations for transferring functions of the Central Authority to the Electricity Council, the Generating Board or the Minister, or for applying to the Electricity Council, the Generating Board or the Minister provisions which apply to the Central Authority;

- (b) amendments and adaptations consequential on the preceding provisions of this Act or on the amendments and adaptations referred to in the preceding paragraph;
- (c) other amendments of a minor character.
- (2) In so far as any reference in a local enactment to any authorised undertakers, or to any matter relating to any authorised undertakers.—
 - (a) has effect as adapted or modified by virtue of subsection (3) of section fiftyseven of the principal Act, and
 - (b) as so adapted or modified, has effect as a reference to the Central Authority, or to any matter relating to the Central Authority,

that reference shall have effect as a reference to the Generating Board, or to the corresponding matter relating to the Generating Board, as the case may be; and so much of the said subsection (3) as confers power to prescribe other adaptations and modifications of local enactments shall apply in relation to the provisions of this Act (including the preceding provisions of this subsection) as it applies in relation to the provisions mentioned in that subsection.

(3) Subject to the provisions of subsection (4) of the next following section, the enactments specified in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

43 Short title, citation, commencement and extent

- (1) This Act may be cited as the Electricity Act, 1957; and the Electricity Act, 1947, and this Act may be cited together as the Electricity Acts, 1947 and 1957.
- (2) The Electricity (Scotland) Acts, 1943 to 1954, and this Act, so far as it relates to Scotland, may be cited together as the Electricity (Scotland) Acts, 1943 to 1957.
- (3) Sections five to twenty-two, section twenty-four, section twenty-eight and section forty-two of this Act shall come into operation on the vesting date.
- (4) The following provisions of this Act shall not extend to Scotland, that is to say.—
 - (a) subsection (1) of section five and Part I of the First Schedule to this Act; and
 - (b) subsection (3) of the last preceding section, in so far as it relates to the enactments specified in Part II of the Fifth Schedule to this Act.
- (5) This Act shall not extend to Northern Ireland.