



# Requisitioned Land and War Works Act 1948

1948 CHAPTER 17 11 and 12 Geo 6

*Supplementary*

## **16 Expenses.**

There shall be defrayed out of moneys provided by Parliament—

- (a) any increase in consequence of this Act in the sums payable under the Act of 1939 or the Act of 1945 out of moneys so provided;
- (b) any other expenses of a Minister incurred under the provisions of this Act relating to easements over land acquired or proposed to be acquired under the Defence Acts or to government oil pipe-lines.

## **17 Regulations.**

- (1) Save as provided by this Act, the Treasury may by regulations prescribe anything authorised or required by this Act to be prescribed.
- (2) Any power conferred by this Act to make regulations shall be exercisable by statutory instrument.
- (3) Any statutory instrument made under this Act shall be subject to annulment by resolution of either House of Parliament.

## **18 Application to Scotland.**

- (1) This Act shall apply to Scotland subject to the modifications set out in this section.
- (2) For any reference to the Minister of Agriculture and Fisheries there shall be substituted a reference to the Secretary of State for Scotland.
- (3) (a) For references to the <sup>M1</sup>Town and Country Planning Act, 1947, and to subsection (3) of section fifty-five and subsection (3) of section seventy-five of that Act there shall be respectively substituted references to the <sup>M2</sup>Town and Country Planning (Scotland)

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Act, 1947, and to subsection (3) of section fifty-two and subsection (3) of section seventy-two of that Act.

(b) For references to the <sup>M3</sup>Railways Clauses Consolidation Act, 1845, and to the following provisions of that Act, that is to say, sections seventy-eight to eighty-five, there shall be respectively substituted references to the Railways Clauses Consolidation (Scotland) Act, 1845, and to sections seventy-one to seventy-eight of that Act.

(c) For any reference to Part VI of the Third Schedule to the <sup>M4</sup>Water Act, 1945, there shall be substituted a reference to [<sup>F1</sup>sections 95 and 96] of, and Part I of the [<sup>F1</sup>Schedule 3] to, the Water (Scotland) Act, [<sup>F1</sup>1980].

(d) For references to the <sup>M5</sup>Town and Country Planning Act, 1944, and to the following provisions of that Act, that is to say, sections twenty-five, twenty-six and twenty-seven there shall be respectively substituted references to the <sup>M6</sup>Town and Country Planning (Scotland) Act, 1945, and to the following provisions of that Act, that is to say, sections twenty-four, twenty-five and twenty-six.

(4) The expression “easement” includes servitude; the expression “freehold interest in land” shall be construed as a reference to <sup>F2</sup>... the ownership of the land; and the expression “reversionary interest” shall be construed as a reference to the interest of the landlord in land subject to a lease.

(5) For section fourteen the following section shall be substituted:—

(1) Section twelve of this Act shall not, after the thirty-first day of December, nineteen hundred and forty-nine, apply to a government oil pipe-line running through, or any works accessory thereto on, any land unless the Minister has executed and recorded in the appropriate register of sasines a deed of servitude granting to himself the rights conferred by subsection (1) of the said section twelve.

(2) Where the Minister executes a deed under the foregoing subsection, he shall give notice of the effect thereof in such manner as is in his opinion best adapted for informing the persons affected.”

<sup>F3</sup>(6) .....

#### Textual Amendments

- F1** Words substituted by [Water \(Scotland\) Act 1980 \(c. 45, SIF 130\)](#), s. 112(1), **Sch. 10 Pt. II**
- F2** Words in s. 18(4) repealed (S.) (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), **sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F3** S. 18(6) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), **Sch. 1 Pt. IX**

#### Marginal Citations

- M1** 1947 c. 51.
- M2** 1947 c. 53.
- M3** 1845 c. 33.
- M4** 1945 c. 42.
- M5** 1944 c. 47.
- M6** 1945 c. 33.

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## 19 Application to Northern Ireland.

- (1) This Act shall apply to Northern Ireland subject to the modifications set out in this section.
- (2) The following provisions shall not apply, namely, paragraph (b) of subsection (2) of section seven, sections twelve to fifteen and paragraph 10 of the Schedule.
- (3) Any reference to a provision contained in Part III of the Act of 1945 shall be construed as a reference to that provision as applied to Northern Ireland by section twelve of the <sup>M7</sup>Northern Ireland Act, 1947,
- (4) Section four shall have effect as if the enactments referred to in subsection (3) thereof extended to Northern Ireland, and as if any reference therein to the prescribed adaptations were a reference to such adaptations as may be prescribed for the purposes of that section as it applies to Northern Ireland.
- (5) Subsection (4) of section eight shall have effect as if for the reference to the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939 there were substituted a reference to the Rent and Mortgage Interest (Restrictions) Acts (Northern Ireland) 1920 to 1944.
- (6) . . . . . <sup>F4</sup>

### Textual Amendments

**F4** S. 19(6) repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#)

### Marginal Citations

**M7** 1947 c. 37.

## 20 Short title, citation, construction, and interpretation.

- (1) This Act may be cited as the Requisitioned Land and War Works Act, 1948, and this Act and the Act of 1945 may be cited together as the Requisitioned Land and War Works Acts, 1945 and 1948.
- (2) This Act shall be construed as one with the Act of 1945, so however that in the provisions thereof amending the Act of 1939 expressions have the meanings assigned to them by the Act of 1939.
- (3) In this Act—
  - the expression “the Act of 1945” means the <sup>M8</sup>Requisitioned Land and War Works Act, 1945;
  - the expression “the Act of 1939” means the <sup>M9</sup>Compensation (Defence) Act, 1939;
  - . . . <sup>F5</sup>
- (4) References in this Act to any enactment shall be construed, except where the context otherwise requires, as references to that enactment as amended or extended by any other enactment, including this Act.

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#### **Textual Amendments**

- F5** Definition of “the Transitional Powers Act” repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), s. 1(1), [Sch. 1 Pt. IX](#)
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#### **Marginal Citations**

- M8** 1945 c. 43.  
**M9** 1939 c. 75.

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