



Lands Tribunal Act 1949

1949 CHAPTER 42

4 Power to add to jurisdiction of Lands Tribunal.

- (1) His Majesty may by Order in Council direct that questions which are required or authorised by any Act (including a local or private Act), or instrument made under any such Act, to be determined by any statutory tribunal shall or may be determined instead by the Lands Tribunal if it appears to His Majesty—
 - (a) that the questions are appropriate for the Lands Tribunal as involving valuation of land or for other reasons ; and
 - (b) that it is desirable to transfer the jurisdiction to determine those questions from the first-mentioned tribunal to the Lands Tribunal either—
 - (i) to promote uniformity of decision; or
 - (ii) to use economically the services of those having experience in the valuation of land or other special qualifications; or
 - (iii) to make possible the winding up of a statutory tribunal having little work to do.

- (2) The foregoing subsection shall authorise a transfer of the jurisdiction conferred on a statutory tribunal by or under an Act passed after this Act unless that Act contains a direction to the contrary:

Provided that where the jurisdiction is first conferred on the tribunal by or under an Act so passed sub-paragraphs (i) and (ii) of paragraph (b) of the foregoing subsection shall not apply.

- (3) An Order in Council under this section may contain such supplementary and consequential provisions as appear to His Majesty to be expedient, and any such provisions may be revoked or varied by a subsequent Order in Council or, if the Order in Council so provides, by rules made under this Act.
- (4) Without prejudice to the generality of the last foregoing subsection, the provisions thereby authorised to be contained in an Order in Council shall include provisions for the following purposes, that is to say—

Status: This is the original version (as it was originally enacted).

- (a) making decisions of the Lands Tribunal in the exercise of the jurisdiction transferred enforceable in the same way as those of the statutory tribunal from which the jurisdiction is transferred;
 - (b) making special provision as to the selection of members to deal with a case and as to their sitting with assessors;
 - (c) applying with or without modifications to the exercise of that jurisdiction by the Lands Tribunal, or repealing, any provisions as to procedure which governed its exercise by the said statutory tribunal;
 - (d) preserving the effect of things done in or for the purpose of the exercise of that jurisdiction by the said statutory tribunal.
- (5) Where the Lands Tribunal is exercising, a jurisdiction transferred to it by virtue of this section, section three of this Act shall have effect subject to the provisions of any Order in Council under this section with respect to that jurisdiction.
- (6) Any Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section the expression "statutory tribunal" means any Government department, authority or person entrusted with the judicial determination as arbitrator or otherwise of questions arising under an Act of Parliament, except that the expression does not include—
- (a) any of the ordinary courts of law or a tribunal consisting of one or more judges of any of those courts; or
 - (b) an arbitrator unless the person to act as arbitrator is designated, or is to be selected from a class or group of persons designated, by the Act or instrument requiring or authorising arbitration.