



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART III

AERODROMES AND OTHER LAND

Ministers' power over land in connection with civil aviation

31 Displacements from land

- (1) Where the Minister has acquired land for purposes connected with the discharge of his functions, or gives a direction in relation to any land under section twenty-six of this Act, and the use of the land by the Minister for those purposes, or, as the case may be, the execution of the direction, will involve the displacement of persons residing in premises on the land, it shall be the duty of the Minister, in so far as there is not other residential accommodation available on reasonable terms to the persons who require it in consequence of the displacement, being residential accommodation suitable to the reasonable requirements of those persons, to secure the provision of such accommodation in advance of the displacement:

Provided that the Minister shall not be required by virtue of this subsection to secure the provision of accommodation in advance of a displacement if he is satisfied that for reasons of exceptional public importance it is essential that the displacement should be effected before such accommodation as aforesaid can be found.

- (2) Where upon the determination of any tenancy the Minister is entitled to possession of any building, or any part of a building, then, whatever may be the value or rent of the building or part of a building, the Minister may obtain possession thereof under the Small Tenements Recovery Act, 1838, as in the cases therein provided for, at any time after the tenancy has expired or has been determined.
- (3) The Minister may pay:—
- (a) to any person who is displaced in order that land may be used by the Minister for purposes connected with the discharge of his functions, such reasonable

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allowance as the Minister thinks fit towards the expenses of that person in removing;

- (b) to a person carrying on any business in a building from which he is so displaced, such reasonable allowance (in addition to any allowance paid under the foregoing paragraph) as the Minister thinks fit towards the loss which, in the opinion of the Minister, that person will sustain by reason of the disturbance to his business consequent upon his having to quit the building.

In estimating any such loss as aforesaid the Minister shall have regard to the period for which the premises occupied by the person displaced might reasonably have been expected to be available for the purpose of his business, and to the availability of other premises suitable for that purpose.

- (4) Where the Minister of Transport or the Ministry of Commerce for Northern Ireland acquires land in pursuance of this Part of this Act, the provisions of this section shall have effect in relation to that land as if the references therein to the Minister were references to the Minister of Transport or the said Ministry, as the case may be, and as if the references therein to purposes connected with the discharge of the functions of the Minister were references to the purposes for which the land is so acquired by the Minister of Transport or the said Ministry, as the case may be.
- (5) In the application of subsection (2) of this section to Scotland, for the words from " whatever ", to the end of the subsection there shall be substituted the words " at any time after the tenancy has expired or has been determined, the Minister may serve notice on the occupier of the building or part of the building requiring him to remove therefrom within a period of twenty-one days ; and on the expiry of that period a certified copy of the notice to remove shall be sufficient warrant for ejection against the occupier or any party in his right in the event of non-compliance with the notice " .
- (6) In the application of subsection (2) of this section to Northern Ireland, the reference to the Small Tenements Recovery Act, 1838, shall be construed as a reference to Part IV of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland), 1935.