



Civil Defence Act 1939

1939 CHAPTER 31

PART II

PUBLIC SHELTERS, &C.

2 Designation of premises.

- (1) Where it appears to the local authority that the whole or any part of a building is or can be made suitable—
 - (a) for use as a public air-raid shelter; or
 - (b) for use, in the event of hostile attack, by the local authority in carrying out any of their civil defence functions,the local authority may post in the building or part a notice declaring that that building or part may be required for use for public purposes of civil defence.
- (2) Where the local authority post such a notice, they shall notify the Minister and take such steps as appear reasonably practicable to bring the contents of the notice to the knowledge of the persons having estates or interests in the building or part of a building, and section fifteen of the Land Charges Act, 1925, (which relates to the registration of local land charges) shall apply in relation to such a notice as if the notice were a local land charge and the notice shall be registered by the proper officer as a local land charge accordingly.
- (3) The local authority may at any time withdraw any such notice as aforesaid by posting a notice to that effect in the building or part of a building, and causing the registration of the notice as a local land charge to be cancelled.
- (4) A building or part of a building where a notice under subsection (1) of this section has been posted and has not been withdrawn is in this Act referred to as "designated premises" and references in this Act to the designation of premises shall be construed accordingly.
- (5) Notwithstanding anything in this section, the local authority shall not, without the prior consent of the appropriate department, designate any premises which either—

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- (a) are occupied by any public utility undertakers for the purposes of their undertaking, or
 - (b) are situate on land over which any public utility undertakers exercise any control under any enactment or order relating to their undertaking.
- (6) Where the occupier of any designated premises holds any part of the premises on lease, he shall, immediately he becomes aware of the designation of the premises, serve upon his immediate landlord or, where he holds different parts of the premises under different landlords, on each of his immediate landlords, notice that the premises have been designated under this section and each person upon whom such a notice is served in satisfaction of an obligation imposed by this subsection shall forthwith himself serve a copy of the notice upon his immediate landlord or landlords, if any.