



Civil Defence Act 1939

1939 CHAPTER 31

PART VIII

MISCELLANEOUS.

62 Power of local authorities and public utility undertakers to appropriate lands and buildings for purposes of civil defence.

(1) Subject to the provisions of this section—

- (a) any local authority having any civil defence functions or any public utility undertakers who have been served with a notice under Part V of this Act may (without any formal appropriation thereof) use any lands or buildings owned by, leased to or under the control of the authority or undertakers for the purpose of discharging any of those functions, or taking measures specified in the notice as the case may be, and
- (b) any local authority (as defined in the Act of 1937) may permit any other local authority having any civil defence functions to use, for the purpose of discharging any of those functions, any lands or buildings owned by, leased to or under the control of the first-mentioned authority,

and the provisions of this subsection shall have effect notwithstanding anything contained in any Act (including a local or private Act) or any trust or covenant or restriction affecting the use of those lands or buildings.

- (2) The powers conferred by this section shall, after the passing of this Act, only be exercisable with the approval of the Minister and subject to any conditions he may impose in relation to any particular exercise thereof.
- (3) The Minister may at any time give directions to the local authority or, as the case may be, the local authorities or the public utility undertakers that as from any date specified in the direction, any use of any lands or buildings under this section shall cease, and any such directions may require the lands or buildings to be restored, to such extent as may be specified, to their former condition, and it shall be the duty of the local authority or local authorities or public utility undertakers to comply with any such direction.

Status: This is the original version (as it was originally enacted).

- (4) In this section the expression " use," in relation to lands owned by or leased to a local authority, includes the erection of buildings and other structures thereon, the making of excavations therein, and the alteration and maintenance of any such buildings, structures or excavations, and, in relation to buildings owned by or leased to an authority, includes the alteration and maintenance of those buildings.
- (5) This section shall be deemed to have had effect as from the commencement of the Act of 1937.