



Statutory Orders (Special Procedure) Act 1945

1945 CHAPTER 18 9 and 10 Geo 6

[^{F1}1A Order subject to special parliamentary procedure only so far as authorising certain acquisitions of land or rights

- (1) Where under a special-acquisition provision an order is subject to special parliamentary procedure so far as the order authorises compulsory acquisition of, or of a right over, land to which that provision applies, sections 3 to 7 of this Act apply in relation to the order with the modifications specified in subsections (3) to (19).
- (2) Where those sections apply with those modifications in relation to an order, in subsections (3) to (19) “the special authorisation” means the order so far as it authorises compulsory acquisition of, or of a right over, land to which the particular special-acquisition provision applies.
- (3) In section 3(1) the reference to a petition duly presented against the order is to be read as a reference to a petition duly presented against the special authorisation.
- (4) In section 3(2)—
 - (a) the reference to petitions against an order to which this Act applies is to be read as a reference to petitions against the special authorisation, and
 - (b) in paragraphs (a) and (b) a reference to the order is to be read as a reference to the special authorisation.
- (5) In section 3(4) a reference to the order is to be read as a reference to the special authorisation.
- (6) In section 3(4A)—
 - (a) the reference in the opening words to the order to which a petition relates is to be read as a reference to the order containing the special authorisation to which a petition relates, and
 - (b) in paragraph (a) the reference to the order being one that relates to proposals of the kind mentioned is to be read as a reference to the Chairmen being of the opinion that removal of the special authorisation from the order would be inconsistent with proposals of that kind.

Changes to legislation: There are currently no known outstanding effects for the Statutory Orders (Special Procedure) Act 1945, Section 1A. (See end of Document for details)

- (7) In section 3(5)—
- (a) the reference to every order to which this Act applies is to be read as a reference to the special authorisation, and
 - (b) the reference to every such report is to be read as a reference to the report of the Chairmen in respect of the special authorisation.
- (8) In section 4(1)—
- (a) the reference to any order to which this Act applies is to be read as a reference to the special authorisation,
 - (b) the reference to resolving that an order be annulled is to be read as a reference to resolving that the special authorisation be annulled,
 - (c) the reference to an order becoming void is to be read as a reference to the special authorisation becoming void, and
 - (d) the reference to taking no further proceedings on an order is to be read as a reference to taking no further proceedings on the special authorisation.
- (9) In section 4(2) the reference to the order is to be read as a reference to the special authorisation.
- (10) In section 4(3)—
- (a) the reference to neither House resolving that the order be annulled is to be read as a reference to neither House resolving that the special authorisation be annulled, and
 - (b) the reference to petitions relating to the order is to be read as a reference to petitions relating to the special authorisation.
- (11) Section 4 is to be read as if after subsection (3) there were inserted—
- “(4) Where either House resolves during the resolution period that the special authorisation be annulled, the Minister is to either—
 - (a) withdraw the order by notice given in the prescribed manner, or
 - (b) cause the order to be submitted to Parliament for further consideration by means of a Bill for the confirmation of the order.
 - (5) A Bill presented for the purposes of subsection (4)(b) must set out the order as laid before Parliament under section 1(2) of this Act, and any such Bill is to be treated as a public bill, except that—
 - (a) where a petition for amendment of the special authorisation was certified as proper to be received, the Bill—
 - (i) after being read a second time in the House in which it is presented, is to be referred to a joint committee of both Houses for the purposes of the consideration of that petition,
 - (ii) after it has been reported by the joint committee, is to be ordered to be considered in the House in which it is presented as if it had been reported by a committee of that House, and
 - (iii) when it has been read a third time and passed in that House, is to be treated as having passed through all its stages up to and including committee in the second House;
 - (b) where no such petition has been so certified—

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- (i) the Bill is after its presentation to be treated as having passed all its stages up to and including committee in the House in which it is presented,
 - (ii) the Bill is to be ordered to be considered in that House as if it had been reported from a committee of that House, and
 - (iii) when the Bill has been read a third time and passed in that House, the like proceedings are to be taken on the Bill in the second House.”
- (12) In section 5(1)—
- (a) the reference to any petition against an order to which this Act applies is to be read as a reference to any petition against the special authorisation,
 - (b) the reference to the order standing referred to a committee is to be read as a reference to the special authorisation standing referred to that committee, and
 - (c) the reference to the committee's power to report the order is to be read as a reference to the committee's power to report the special authorisation.
- (13) In section 5(2) a reference to the order is to be read as a reference to the special authorisation.
- (14) In section 5(3) the reference to any order to which this Act applies is to be read as a reference to the special authorisation.
- (15) In section 6(1) the reference to an order to which this Act applies being reported without amendment is to be read as a reference to the special authorisation being reported without amendment.
- (16) In section 6(2) the reference to any such order being reported with amendments is to be read as a reference to the special authorisation being reported with amendments.
- (17) In section 6(3) the reference to it being reported, with respect to any such order, that the order be not approved is to be read as a reference to it being reported that the special authorisation be not approved.
- (18) In section 6(5)—
- (a) the requirement for a Bill to set out the order as referred to the joint committee is to be read as a requirement for the Bill to set out the order as laid under section 1(2) of this Act, and
 - (b) in paragraph (a) the reference to a petition for amendment of the order is to be read as a petition for amendment of the special authorisation.
- (19) In section 7 a reference to an order to which this Act applies is to be read as a reference to the special authorisation.]

Textual Amendments

- F1** S. 1A inserted (25.6.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), **ss. 25(4), 35(1)** (with s. 25(10)); [S.I. 2013/1124](#), **art. 4(d)** (with **art. 8(3)**); [S.I. 2013/1488](#), **art. 3(e)** (with **art. 8**)

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