# LAND CHARGES, ENGLAND

## 1958 No. 1323

## The Land Powers (Defence) Act (Registration of Wayleave Orders, etc.) Rules, 1958

*Made* - - - - 31*st July*, 1958
*Coming into Operation* 1*st September*, 1958

I, David Viscount Kilmuir, Lord High Chancellor of Great Britain, by virtue and in pursuance of section 15 of the Land Charges Act, 1925(a), and section 17 of the Land Powers (Defence) Act, 1958(b), do hereby make the following Rules:—

**1.**—(1) These Rules may be cited as the Land Powers (Defence) Act (Registration of Wayleave Orders, etc.) Rules, 1958, and shall come into operation on the first day of September, 1958.

(2) In these Rules a Rule referred to by number means the Rule so numbered in the Local Land Charges Rules, 1934(c), as amended.

(3) The Interpretation Act, 1889(d), applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

**2.** The Local Land Charges Rules, 1934, as amended, shall apply to wayleave orders, draft wayleave orders and notices of restrictions registrable in the register of local land charges pursuant to section 17 of the Land Powers (Defence) Act, 1958, in the same manner and to the same extent as they apply to local land charges registrable pursuant to section 15 of the Land Charges Act, 1925, and accordingly those Rules, as amended, shall be further amended as follows:—

(*a*) At the end of the proviso to paragraph (1) of Rule 4 there shall be added:—

"(ix) In the case of any wayleave order, draft wayleave order or notice of restrictions registrable pursuant to section 17 of the Land Powers (Defence) Act, 1958, the proper officer shall be the clerk, or the person for the time being authorised to act as clerk, of the county borough, metropolitan borough or county district in which the land or any part thereof to which the order, draft order or notice relates is situate."

(*b*) At the end of paragraph (*d*) of Rule 5 there shall be added the words—

"and to any wayleave orders, draft wayleave orders and notices of restrictions registrable pursuant to section 17 of the Land Powers (Defence) Act, 1958."

(*c*) The following new paragraph shall be added to Rule 13 and shall stand as paragraph (7):—

"(7) Where—

(*a*) a draft wayleave order is registered pursuant to section 17 of the Land Powers (Defence) Act, 1958, and thereafter it is decided to make no order or the order as made differs from that draft; or

(a) 15 & 16 Geo. 5. c. 22. (b) 6 & 7 Eliz. 2. c. 30.
(c) S.R. & O. 1934/285 (Rev. XI, p. 816: 1934 I, p. 924). (d) 52 & 53 Vict. c. 63.

(*b*) a wayleave order registered as aforesaid is revoked or varied; or

(*c*) a restriction imposed by subsection (1) of section 16 of the said Act of which notice is registered as aforesaid, ceases to have effect or is modified;

the Minister at whose instance the registration was effected shall furnish the proper officer with such information as may be necessary to enable him to cancel or vary the registration, as the case may require, and thereupon the proper officer shall cancel or vary the registration accordingly."

Dated the 31st day of July, 1958.

*Kilmuir*, C.

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EXPLANATORY NOTE

(*This Note is not part of the Rules, but is intended to indicate their general purport.*)

These Rules amend the Local Land Charges Rules, 1934, to provide for the registration in Part IV of the Local Land Charges Register of draft wayleave orders, wayleave orders and notices of restrictions on land which are made registrable by section 17 of the Land Powers (Defence) Act, 1958.

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# LAND SETTLEMENT, IRELAND

## 1958 No. 1624

## The Irish Sailors and Soldiers Land Trust (Amending) Regulations, 1958

*Made* - - - - 29*th September*, 1958
*Coming into Operation* 1*st October*, 1958

The Treasury, in exercise of the powers conferred upon them by subsections (3) and (5) of section three of the Irish Free State (Consequential Provisions) Act, 1922 (Session 2)(**a**), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

**1.** There shall be substituted for paragraph (2) of Regulation 11 of the Irish Sailors and Soldiers Land Trust (Amending) Regulations, 1925(**b**), which is hereby revoked, the following paragraph:—

"(2) The accounts of the Trust shall be audited by auditors approved by the Treasury."

(**a**) 13 Geo. 5 (Session 2) c. 2. (**b**) S.R. & O. 1925/303 (1925, p. 832).