Citation and extent.

2.—(1) This Act may be cited as the Solicitors (Amendment) Act, 1959.

(2) The Solicitors Act, 1957, and this Act may be cited together as the Solicitors Acts, 1957 and 1959.

(3) This Act shall not extend to Scotland or Northern Ireland.

CHAPTER 43

Post Office Works Act, 1959

ARRANGEMENT OF SECTIONS

Section
1. Vesting of works in the Postmaster General.
2. Compensation in respect of works.
3. Support of superjacent strata by underground works.
4. Provisions relating to British Transport Commission.
5. Saving for Prudential Assurance Company Limited.
6. Expenses.
7. Short title.

An Act to vest in the Postmaster General certain underground works constructed in London, Manchester and Birmingham in the exercise of emergency powers; and for purposes connected therewith. [9th July, 1959]

WHEREAS during the recent war there were constructed by the London Passenger Transport Board, on behalf of the Crown in the exercise of emergency powers, certain underground works situated partly in the metropolitan borough of Holborn and partly in the City of London and connected with the underground railway station at Chancery Lane:

And whereas the Postmaster General entered into occupation of those works and, in exercise of emergency powers, extended them, and the works as extended (in this Act referred to as " the London works ") consist of a system of tunnels, together with shafts and other means of access thereto from the surface and ancillary works:

And whereas in the exercise of emergency powers the Postmaster General has constructed works in the City of Manchester and works in the City of Birmingham (in this Act referred to respectively as " the Manchester works " and " the Birmingham works ") each consisting of a system of tunnels, together with shafts and other means of access thereto from the surface and ancillary works:

And whereas the Postmaster General has before the passing of this Act acquired an estate or interest in lands which include parts of the London works, the Manchester works and the

Birmingham works and, in particular, in each case the sites of all shafts from the surface and of so much of the works affording access and of the ancillary works as lies on the surface:

And whereas it is expedient that those parts of the London works, the Manchester works and the Birmingham works in which the Postmaster General has not already acquired an estate or interest should vest in him by the authority of Parliament:

And whereas in connection with the Bill for this Act plans showing the location of the subsoil which comprises those parts of the London works, the Manchester works and the Birmingham works in which the Postmaster General has not already acquired an estate or interest, together with a book of reference to the plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers, of the subsoil aforesaid, have been deposited with the clerk of the London County Council, the town clerk of the City of Manchester and the town clerk of the City of Birmingham:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Vesting of works in the Postmaster General.

1. Those parts of the London works, the Manchester works and the Birmingham works in which an estate or interest was not vested in the Postmaster General immediately before the passing of this Act shall by virtue of this section and without further assurance vest in the Postmaster General for an estate in fee simple, freed and discharged from all other estates, interests, rights and charges which, immediately before the passing of this Act, subsisted in, over or on those works or any of them.

Compensation in respect of works.

2.—(1) Where the value of any land has been diminished by the construction of the London works, the Manchester works or the Birmingham works compensation for the diminution shall be payable in the form of a lump sum of such amount as may be agreed between the Postmaster General and the persons interested in the land or in default of agreement as may be determined by the arbitration of a single arbitrator to be agreed between the parties or, in default of agreement, appointed by the President of the Royal Institution of Chartered Surveyors; and compensation under this subsection shall be divisible amongst the said persons in such shares as they may agree or, in default of agreement, as may be determined as aforesaid.

(2) The right to compensation conferred by the foregoing subsection shall be in substitution for any right to compensation under the Compensation (Defence) Act, 1939, by reason of the construction, maintenance or use of the said works.

2 & 3 Geo. 6, c. 75.

Support of superjacent strata by underground works.

3. If at any time land supported by any underground part of the London works, the Manchester works or the Birmingham works subsides by reason of—

(*a*) the falling in of that part of those works or failure to keep it in a watertight condition; or

(*b*) any disturbance of subsoil resulting from, or occasioned by, the construction or use of that or any other underground part of those works;

the Postmaster General shall be liable in damages to the like extent, and to the same persons, as if—

(i) at the time when the subsidence occurs that part of those works had been subject to an easement of support for the benefit of that land, of any buildings thereon immediately before that time and of any sewers, cables, mains, pipes or other apparatus therein immediately before that time, and

(ii) the subsidence had been due to the infringement of that easement by the Postmaster General by withdrawing support from that land at that time.

Provisions relating to British Transport Commission.

4.—(1) For the purposes of the application of the foregoing provisions of this Act in relation to points of junction between any part of the London works and any underground works of the British Transport Commission, the London works shall be taken not to include any part of any works which immediately before the passing of this Act was vested in the Commission.

(2) The foregoing provisions of this Act shall not prejudice the operation of the following agreements relating to the London works in so far as those agreements are still in force and capable of taking effect, that is to say:—

(*a*) agreements dated respectively the eighteenth day of December, nineteen hundred and forty-two, and the twenty-fourth day of May, nineteen hundred and forty-three, between the London Passenger Transport Board and the Minister of Home Security on behalf of the Crown;

(*b*) an agreement dated the twenty-eighth day of June, nineteen hundred and forty-six, between the London Passenger Transport Board of the one part and the Secretary of State for the Home Department and the Minister of Works on behalf of the Crown of the other part;

(*c*) an agreement dated the fifteenth day of November, nineteen hundred and forty-nine, between the London Transport Executive on behalf of the British Transport Commission (as successors to the London Passenger Transport Board) and the Minister of Works on behalf of the Crown.

5. The foregoing provisions of this Act shall not prejudice the operation of the agreement relating to the London works dated the fourth day of April, nineteen hundred and fifty-one, between the Prudential Assurance Company Limited of the first part, Prudential Nominees Limited of the second part and the Postmaster General of the third part in so far as it is still in force and capable of taking effect. Saving for Prudential Assurance Company Limited.

6. Any expenses incurred by virtue of this Act by the Postmaster General shall be defrayed out of moneys provided by Parliament and any expenses incurred in maintaining the London works, the Manchester works and the Birmingham works shall be defrayed out of moneys provided by Parliament for the services of the Post Office or the services of the Ministry of Works. Expenses.

7. This Act may be cited as the Post Office Works Act, 1959. Short title.

CHAPTER 44

Fire Services Act, 1959

ARRANGEMENT OF SECTIONS

Section
1. Repeal of certain provisions as to exercise of functions by fire authorities.
2. Reinforcement schemes.
3. Joint committees.
4. Arrangements for discharge of functions of fire authority by provision of services by other authority or persons.
5. Conditions of service.
6. Appointments and promotions.
7. Establishment schemes.
8. Firemen's Pension Scheme.
9. Pensions of persons transferring to or from the fire service.
10. Employment as temporary instructor.
11. Public inquiries in Scotland.
12. Financial provisions.
13. Interpretation.
14. Short title, citation, commencement, extent and repeal.

SCHEDULE—Enactments repealed.