



Diplomatic and Consular Premises Act 1987

1987 CHAPTER 46

PART I

DIPLOMATIC AND CONSULAR PREMISES

2 Vesting of former diplomatic or consular premises

- (1) Where—
 - (a) the Secretary of State formerly accepted land as diplomatic or consular premises but did not accept it as such premises immediately before the coming into force of this section; or
 - (b) land has ceased to be diplomatic or consular premises after the coming into force of this section but not less than 12 months before the exercise of the power conferred on the Secretary of State by this subsection,the Secretary of State may by order provide that this section shall apply to that land.
- (2) The Secretary of State shall only exercise the power conferred by subsection (1) above if he is satisfied that to do so is permissible under international law.
- (3) In determining whether to exercise it he shall have regard to all material considerations, and in particular, but without prejudice to the generality of this subsection, to any of the considerations mentioned in section 1(5) above that appears to him to be relevant.
- (4) An order under subsection (1) above shall be made by statutory instrument, and a statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The Secretary of State may by deed poll vest in himself such estate or interest in land to which this section applies as appears to him to be appropriate.
- (6) A deed poll under this section may also comprise any portion of a building in which the former diplomatic or consular premises are situated.

Status: This is the original version (as it was originally enacted).

- (7) In relation to land in Scotland this section shall have effect with the substitution of references to an order for references to a deed poll, and such an order shall take effect immediately it is made.
- (8) Subject to subsection (9) below, in a case falling within paragraph (a) of subsection (1) above the Secretary of State may only exercise the power conferred by that subsection before the end of the period of two months beginning with the date on which this section comes into force.
- (9) In such a case the power continues to be exercisable after the end of that period if the Secretary of State within that period—
- (a) certifies that he reserves the right to exercise it; and
 - (b) unless he considers it inappropriate or impracticable to do so, serves a copy of the certificate on the owner of any estate or interest in the land.
- (10) Where—
- (a) circumstances have arisen in consequence of which the power conferred by subsection (1) above is exercisable; but
 - (b) the Secretary of State serves on the owner of the land in relation to which it has become exercisable notice that he does not intend to exercise the power in relation to that land,
- it shall cease to be exercisable in relation to it in consequence of those circumstances.
- (11) If
- (a) the Secretary of State has exercised the power conferred by subsection (1) above in relation to land; but
 - (b) serves on the owner notice that he does not intend to execute a deed poll under this section, or if the land is in Scotland to make an order under it, relating to the land,
- the power to vest conferred by this section shall cease to be exercisable.