



Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947

1947 CHAPTER 42 10 and 11 Geo 6

5 Provisions as to inquiries and as to service of certain notices.

- (1) For the purposes of the execution of his powers and duties under this Act, a Minister may cause to be held such public local inquiries as are directed by this Act and such other public local inquiries as he may think fit, and, subject to the provisions of the next following subsection, the provisions of the Fourth Schedule to this Act shall have effect with regard to any such inquiry.
- (2) Any inquiry in relation to a compulsory purchase order which, by virtue of Part III of the First Schedule to this Act, becomes in certain events subject to special parliamentary procedure shall, if the confirming authority so directs, be held by Commissioners under the Private Legislation Procedure (Scotland) Act, ^{M1}1936, and where any direction has been so given—
 - (a) it shall be deemed to have been given under section two, as read with section ten, of the Statutory Orders (Special Procedure) Act, ^{M2}1945;
 - (b) if publication of notice in accordance with the provisions of head (a) of subparagraph (1) of paragraph 3 of the First Schedule to this Act has been made, the provisions of subsection (1) of the aforesaid section two with regard to advertisement of notice shall be deemed to have been complied with; and
 - (c) the provisions of the Fourth Schedule to this Act shall not apply to such inquiry.
- (3) Any provision contained in the Schedules to this Act requiring notice to be served on owners, lessees or occupiers of any land shall be deemed to be complied with if notice is served on all the persons appearing . . . ^{F1} to the acquiring authority to have an interest in the land, and any reference in the said Schedules to owners, lessees and occupiers shall be construed accordingly.

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Status: Point in time view as at 31/10/1994.

Changes to legislation: Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, Section 5 is up to date with all changes known to be in force on or before 30 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 Words repealed by [Local Government Finance Act 1988 \(c. 41, SIF 81:1\)](#), s. 149, **Sch. 13 Pt. IV**

Modifications etc. (not altering text)

C1 [S. 5\(3\)](#) extended by [Offshore Petroleum Development \(Scotland\) Act 1975 \(c. 8, SIF 86\)](#), s. 1, **Sch. 1 para. 6**

Marginal Citations

M1 1936 c. 52.

M2 1945 c. 18 (9 & 10 Geo. 6).

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