



Land Compensation (Scotland) Act 1963

1963 CHAPTER 51

PART II **S**

DETERMINATION OF QUESTIONS OF DISPUTED COMPENSATION BY LANDS TRIBUNAL

9 Procedure on references under s. 8. **S**

- (1) The following provisions shall have effect with respect to any proceedings on a question referred to the Lands Tribunal under section 8 of this Act.
- (2) The Lands Tribunal shall sit in public.
[^{F1}Provided that this subsection shall not prevent the determination of cases without an oral hearing pursuant to rules under section 3 of the ^{M1}Lands Tribunal Act 1949.]
- (3) Not more than one expert witness on either side shall be heard unless the Lands Tribunal otherwise directs; except that, where the claim includes a claim for compensation in respect of minerals, or disturbance of business, as well as in respect of land, one additional expert witness on either side on the value of the minerals or, as the case may be, on the damage suffered by reason of the disturbance may be allowed.
- (4) A member of the Lands Tribunal dealing with the proceedings shall be entitled to enter on and inspect any land which is the subject of the proceedings.
- (5) The Lands Tribunal shall, on the application of either party, specify the amount awarded in respect of any particular matter the subject of the award.

Textual Amendments

- F1** Proviso added by [Community Land Act 1975 \(c. 77\)](#), [Sch. 10 para. 5\(1\)](#); continued by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [Sch. 33 para. 7\(1\)\(2\)](#)

Modifications etc. (not altering text)

- C1** S. 9 applied with modifications by Acts listed in [Chronological Table of the Statutes and Local Government, Planning and Land Act 1980 \(c. 65\)](#), [s. 167\(9\)\(13\)](#)

Status: Point in time view as at 01/09/2018.

Changes to legislation: *Land Compensation (Scotland) Act 1963, Section 9 is up to date with all changes known to be in force on or before 15 June 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)*

- C2** S. 9 extended with modifications by **Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 117(1)**
- C3** S. 9 applied by **Electricity Act 1989 (c. 29, SIF 44:1), ss. 10(1)(5), 112(3), Sch. 4 paras. 7(4), 11(3), Sch. 5 para. 6, Sch. 17 para. 35(1)**
- C4** S. 9 applied (with modifications) (30.10.1994) by S.I. 1994/2716, **reg. 92(4)**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 8, **ss. 86(2), 278(2)**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 8, **ss. 143(7), 278(2)**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 8, **ss. 165(3), 278(2)**
 S. 9 applied (27.5.1997) by 1997 c. 8, **ss. 185(3), 278(2)**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 8, ss. 195, 278(2), **Sch. 15 Pt. I, paras. 9, 12**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 8, **ss. 204(6), 278(2)**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 8, **ss. 235(4), 278(2)**
 S. 9 applied (with modifications) (27.5.1997) by 1997 c. 9, **ss. 27(5), 83(2)** (with s. 45(4))
 S. 9 applied (with modifications) (1.4.1999) by S.I. 1999/481, **reg. 8(4)**
 S. 9 applied (with modifications) (26.3.2001) by 2000 c. 26, s. 95, **Sch. 6 para. 5(3); S.I. 2000/2957, art. 2(3), Sch. 3**
 S. 9 applied (with modifications) (28.9.2000) by S.S.I. 2000/323, reg. 9(17), **Sch. 6 para. 8(3)**
- C5** S. 9 applied (with modifications) (1.4.2003) by **The Anti-Pollution Works (Scotland) Regulations 2003 (S.S.I. 2003/168), reg. 1(1), sch. para. 6(3)**
- C6** S. 9 applied (with modifications) (1.4.2006) by **The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (S.S.I. 2005/348), reg. 1(2), sch. 7 para. 6(3)** (with regs. 4, 50)
- C7** S. 9 applied (with modifications) (22.5.2008) by **The Transport and Works (Scotland) Act 2007 (Access to Land by the Scottish Ministers) Order 2008 (S.S.I. 2008/200), arts. 1, 10(4)**
- C8** S. 9 applied (with modifications) (22.5.2008) by **The Transport and Works (Scotland) Act 2007 (Access to Land on Application) Order 2008 (S.S.I. 2008/199), arts. 1, 11(4)**
- C9** S. 9 applied (with modifications) (26.11.2008 for specified purposes, 1.3.2010 in so far as not already in force) by **Planning Act 2008 (c. 29), ss. 165(6), 236, 241(1)(8), Sch. 12 para. 22(c)** (with s. 226); S.I. 2010/101, art. 3(j) (with art. 6)
- C10** S. 9 applied (with modifications) (31.3.2011) by **The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (S.S.I. 2011/209), reg. 1(2), sch. 7 para. 6(3)** (with reg. 54)
- C11** S. 9 applied (with modifications) by 1997 c. 9, s. 41D(9) (as inserted (30.6.2011 for specified purposes, 1.12.2011 in so far as not already in force) by **Historic Environment (Amendment) (Scotland) Act 2011 (asp 3), ss. 23(1), 33(2); S.S.I. 2011/174, art. 2, sch.; S.S.I. 2011/372, art. 2, sch.**)
- C12** S. 9 applied (23.2.2017) by **High Speed Rail (London - West Midlands) Act 2017 (c. 7), ss. 55(6)(b), 70(1)**
- C13** S. 9 applied (1.9.2018) by **The Environmental Authorisations (Scotland) Regulations 2018 (S.S.I. 2018/219), reg. 1, sch. 2 para. 14(3)** (with reg. 78, sch. 5 para. 2)

Marginal Citations

- M1** 1949 c. 42.

Status:

Point in time view as at 01/09/2018.

Changes to legislation:

Land Compensation (Scotland) Act 1963, Section 9 is up to date with all changes known to be in force on or before 15 June 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.