



Countryside (Scotland) Act 1967

1967 CHAPTER 86

PART V

GENERAL, FINANCIAL AND SUPPLEMENTARY

75 Powers of entry

- (1) For the purpose of surveying land in connection with—
 - (a) the exercise or proposed exercise of any of the functions of the Commission under this Act in relation to land,
 - (b) the acquisition under this Act of the land or of any interest therein whether by agreement or compulsorily,
 - (c) the making of an access order with respect thereto, or
 - (d) the making of a public path creation order, public path extinguishment order or public path diversion order,any person duly authorised in writing by the Secretary of State, the Commission or other authority having power so to exercise functions, or to acquire land or to make the order, as the case may be, may, at any reasonable time, enter upon the land.
- (2) For the purpose of surveying land, or of estimating its value, in connection with any claim for compensation payable by virtue of this Act by the Secretary of State, the Commission or other authority in respect of that or any other land, any person being an officer of the Valuation Office or a person duly authorised in writing by the authority from whom the compensation is claimed may, at any reasonable time, enter upon the land.
- (3) A person authorised under this section to enter upon any land, shall, if so required by the occupier or anyone acting on his behalf, produce evidence of his authority, and shall not demand admission as of right to any land which is occupied unless at least fourteen days' notice in writing of the intended entry has been given to the occupier.
- (4) The power conferred on the Commission to survey land in connection with the exercise of their functions under section 5 or 6 of this Act shall be construed as including

Status: This is the original version (as it was originally enacted).

power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein:

Provided that a person shall not carry out any works authorised by this subsection unless notice of his intention so to do has been included in the notice required by subsection (3) above, and if the land in question is held by any statutory undertakers and those undertakers object to the proposed works on the ground that the carrying out thereof would be seriously detrimental to the carrying on of their undertaking, the works shall not be carried out except with the authority of the appropriate Minister.

In this subsection " the appropriate Minister " has the same meaning as in section 113(1) of the Act of 1947.

- (5) A person entering upon any land by virtue of this section may take with him such other persons as may be necessary, and on leaving any premises which he has so entered, being either unoccupied premises, or premises of which the occupier is temporarily absent, shall leave them as effectively secured against unauthorised entry as he found them.
- (6) A person who wilfully obstructs any person acting in the exercise of his powers under this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20.