



New Towns (Scotland) Act 1968

1968 CHAPTER 16

Acquisition of land by development corporations and highway authorities

14 Extinguishment of rights over land compulsorily acquired.

- (1) Subject to the provisions of this section, upon the completion by the acquiring authority of a compulsory acquisition of land under this Act, all private rights of way and rights of laying down, erecting, continuing or maintaining any apparatus on, under or over the land and all other rights or servitudes in or relating to that land shall be extinguished, and any such apparatus shall vest in the acquiring authority.
- (2) Subsection (1) above shall not apply to any right vested in, or apparatus belonging to, statutory undertakers for the purpose of the carrying on of their undertaking [^{F1}or to any right conferred by or in accordance with [^{F2}the electronic communications code]on the operator of [^{F3}an electronic communications code network]or to any [^{F4}electronic communications apparatus]kept installed for the purposes of any [^{F5}such network].]
- (3) In respect of any right or apparatus not falling within subsection (2) above, subsection (1) above shall have effect subject—
 - (a) to any direction given by the acquiring authority before the completion of the acquisition that the said subsection (1) shall not apply to any right or apparatus specified in the direction, and
 - (b) to any agreement which may be made (whether before or after the completion of the acquisition) between the acquiring authority and the person in or to whom the right or apparatus in question is vested or belongs.
- (4) Any person who suffers loss by the extinguishment of a right or servitude or the vesting of any apparatus under this section shall be entitled to compensation from the acquiring authority.
- (5) Any compensation payable under this section shall be determined in accordance with the ^{M1}Land Compensation (Scotland) Act 1963.

Changes to legislation: There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, Section 14. (See end of Document for details)

Textual Amendments

- F1** Words inserted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, Sch. 4 para. 47(2), **Sch. 5 para. 45**
- F2** Words in s. 14(2) substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), Sch. 1 para. 6(1)(a)(2)(a)
- F3** Words in s. 14(2) substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), Sch. 1 para. 6(1)(a)(2)(b)
- F4** Words in s. 14(2) substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), Sch. 1 para. 6(1)(a)(2)(e)
- F5** Words in s. 14(2) substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), Sch. 1 para. 6(1)(a)(2)(f)

Marginal Citations

- M1** [1963 c. 51\(28:2\)](#).

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