



New Towns (Scotland) Act 1968

1968 CHAPTER 16

Statutory undertakers

30 Relief of statutory undertakers from obligations rendered impracticable.

- (1) Where, on a representation made by statutory undertakers, the appropriate Minister is satisfied that the fulfilment of any obligation incurred by those undertakers in connection with the carrying on of their undertaking has been rendered impracticable by an act or event to which this subsection applies, the appropriate Minister may, if he thinks fit, by order direct that the statutory undertakers shall be relieved of the fulfilment of that obligation, either absolutely or to such extent as may be specified in the order.
- (2) Subsection (1) above applies to the following acts and events, that is to say—
 - (a) the compulsory acquisition under this Act of any land in which an interest was held, or which was used, for the purpose of the carrying on of the undertaking;
 - (b) the extinguishment of a right or the imposition of any requirement by virtue of section 26 of this Act.
- (3) As soon as may be after making a representation to the appropriate Minister under subsection (1) above, the statutory undertakers shall, as may be directed by the appropriate Minister, either—
 - (a) publish (in such form and manner as may be so directed) a notice giving such particulars as may be so directed of the matters to which the representation relates, and specifying the time (not being less than 28 days) within which, and the manner in which, objections to the making of an order on the representation may be made, or
 - (b) serve such a notice on such persons, or persons of such classes, as may be so directed, or
 - (c) both publish and serve such notices.
- (4) If any objection to the making of an order under this section is duly made and is not withdrawn before the order is made, the order shall be subject to special parliamentary procedure.

Status: Point in time view as at 17/09/2003.

Changes to legislation: There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, Section 30. (See end of Document for details)

- (5) As soon as may be after an order has been made under this section the appropriate Minister shall publish in such form and manner as he thinks fit a notice stating that the order has been made.
- (6) The provisions of Part V of Schedule 3 to this Act as to the validity and date of operation of compulsory purchase orders shall have effect in relation to an order under this section with the substitution for references to a compulsory purchase order and to publication in accordance with the provisions of that Schedule in that behalf of references to an order under this section and to publication in accordance with subsection (5) above.

Status:

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