



# Post Office Act 1969

## 1969 CHAPTER 48

### PART III

#### THE NEW AUTHORITY FOR THE CONDUCT OF POSTAL AND TELEGRAPHIC BUSINESS

##### *Lands*

#### **58 Entry, for exploratory purposes, on land in Scotland.**

- (1) A person duly authorised in writing by the Post Office may, at any reasonable time, enter upon and survey any land in Scotland, other than land covered by buildings or used as a garden or pleasure ground, for the purpose of ascertaining whether the land would be suitable for use for the purposes of its business.
- (2) [F<sup>1</sup>Sections 265(8) and 266(1) to (3) and (6) of the <sup>M1</sup>Town and Country Planning (Scotland) Act 1972] (supplementary provisions as to powers of entry) shall have effect in relation to the power conferred by this section as they have effect in relation to the powers conferred by [F<sup>1</sup>the said section 265] subject, however, to the following modifications, namely,—
  - (a) that [F<sup>1</sup>section 266(1)] (twenty-four hours' notice to be given of an intended entry upon occupied land) shall so have effect, as if, for the words, "twenty-four hours", there were substituted the words "twenty-eight days"; and
  - (b) that [F<sup>1</sup>section 265(8)] (power to search and bore for minerals, &c.) shall so have effect as if the words "or the presence of minerals therein" were omitted.
- (3) Where, in an exercise of the power conferred by this section, any damage is caused to land or to corporeal moveables, any person interested in the land or corporeal moveables may recover from the Post Office compensation in respect of the damage; and where, in consequence of an exercise of that power, any person is disturbed in his enjoyment of any land or corporeal moveables, he may recover from the Post Office compensation in respect of the disturbance.
- (4) Any question arising under this section as to the effect of damage or as to the amount of compensation shall, in the case of dispute be determined by arbitration, and the

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Post Office Act 1969, Section 58. (See end of Document for details)*

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reference in such an arbitration shall be to a single arbiter to be appointed by agreement between the parties or, in default of an agreement, by the Minister.

(5) This section shall come into operation on the appointed day.

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**Textual Amendments**

**F1** Words substituted by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 21 Pt. II**

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**Marginal Citations**

**M1** [1972 c. 52](#).

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