



Land Compensation (Scotland) Act 1973

1973 CHAPTER 56

PART IV

COMPULSORY PURCHASE

Miscellaneous

62 Amendment of section 35 of Roads (Scotland) Act 1970.

Section 35 of the ^{M1}Roads (Scotland) Act 1970 (general provisions as to acquisition of land) shall have effect as if—

(a) after subsection (1) there were inserted the following subsection—

“(1A) Any power to acquire land compulsorily conferred by any of the said sections or by section 20 of the Land Compensation (Scotland) Act 1973 shall include power to acquire a servitude or other right in or over land by the creation of a new right.”

(b) at the end there were added the following subsection—

“(5) Where under section 29, 30, 31, 32 or 33 of this Act or section 20 of the Land Compensation (Scotland) Act 1973 a highway authority are authorised to acquire land by agreement, the Lands Clauses Acts (except the provisions relating to the purchase of land otherwise than by agreement and the provisions relating to access to the special Act, and except sections 120 to 125 of the Lands Clauses Consolidation (Scotland) Act 1845) and sections 6 and 70 of the Railways Clauses Consolidation (Scotland) Act 1845, and sections 71 to 78 of that Act, as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923, shall be incorporated with this Act, and in construing those Acts for the purposes of this subsection this Act shall be deemed to be the special Act, and the highway authority to be the promoters of the undertaking or company, as the case may require, and the word “land” shall have the meaning assigned to it by section 50(1) of this Act.”

Status: Point in time view as at 03/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Land Compensation (Scotland) Act 1973, Section 62. (See end of Document for details)

Modifications etc. (not altering text)

- C1** The text of Ss. 18(10), 34(7), 61, 62, 71(2)(3)(4), 72, 77(2)(3), Sch.2 pt.1 and pt.II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1970 c. 20.

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