

Status: Point in time view as at 01/04/1999.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 17 **S**

AMENDMENTS RELATING TO LAND COMPENSATION IN SCOTLAND

Commencement Information

II Sch. 17 wholly in force at 25.09.1991 see s. 84(2)(3) and S.I. 1991/2092, art. 3.

PART II **S**

MINOR AND CONSEQUENTIAL AMENDMENTS

Land Compensation (Scotland) Act 1963 (c.51)

- 16 In section 28 (power to prescribe matters relevant to Part IV) of the Land Compensation (Scotland) Act 1963, for the words “The provisions which may be made by a development order shall” there are substituted the words “ Regulations made under section 273(1)(c) of the Town and Country Planning (Scotland) Act 1972 or a development order may ”.

Commencement Information

II Sch. 17 para. 16 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

The 1972 Act

^{F1}17

Textual Amendments

F1 Sch. 17 para. 17 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt.I (with s. 5, Sch. 3)

^{F2}18

Textual Amendments

F2 Sch. 17 para. 18 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt.I (with s. 5, Sch. 3)

Land Compensation (Scotland) Act 1973 (c.56)

- 19 In section 24 (acquisition of land in connection with public works) of the Land Compensation (Scotland) Act 1973—

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- (a) in subsection (2) for the word “vendor” there shall be substituted the word “seller”, and
- (b) in subsection (5), for “and (2)” there is substituted “(2) and (2A)”.

Commencement Information

I2 Sch. 17 para. 19 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

20 (1) Section 27 of that Act is amended as follows.

(2) In subsection (1)—

- (a) in paragraph (ii), “passed the resolution” is omitted;
- (b) “and” following paragraph (iii) is omitted; and
- (c) after paragraph (iv) there is inserted “ and ”.

(3) In subsection (4), for paragraph (b) there is substituted—

- “(b) a right to occupy the dwelling-house—
- (i) as a statutory tenant within the meaning of the Rent (Scotland) Act 1984; or
- (ii) under a contract to which Part VII of that Act applies or would apply if the contract or dwelling-house were not excluded by section 63(3) to (5) or under section 64(3) respectively of that Act; and”.

Modifications etc. (not altering text)

C1 Sch. 17 para. 20 restricted (18.9.1991) by S.I. 1991/2092, art. 4, Sch. 2 Pt. II para. 6(2)

Commencement Information

I3 Sch. 17 para. 20 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

21 In section 48 (right to advance payment of compensation) of that Act—

- (a) in subsection (8), after “the amount of the advance payment” there is inserted “ together with any amount paid under section 48A ”, and
- (b) in subsection (9), the words following “unpaid” are omitted.

Modifications etc. (not altering text)

C2 Sch. 17 para. 21 restricted (18.9.1991) by S.I. 1991/2092, art. 4, Sch. 2 Pt. I para. 4

Commencement Information

I4 Sch. 17 para. 21 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

Local Government, Planning and Land Act 1980 (c. 65)

22 After section 141(5) of the Local Government, Planning and Land Act 1980 there is inserted—

- “(5B) No compensation is payable, by virtue of an order under this section, under Part V of the Land Compensation (Scotland) Act 1963”.

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I5 Sch. 17 para. 22 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

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