

SCHEDULES

SCHEDULE 5

ACQUISITION OF LAND

PART I

POWERS OF ACQUISITION ETC

England and Wales

- 1 (1) The Secretary of State may authorise a universal service provider to purchase compulsorily any land in England and Wales required for any purpose in connection with the provision of a universal postal service.
- (2) The power of purchasing land compulsorily under this paragraph includes power to acquire, by creation of a new right, an easement or other right over land.
- (3) Any land in England and Wales vested in a universal service provider by virtue of this Schedule shall be deemed for all purposes to have been acquired by him for the purposes of his undertaking as a universal service provider.

Scotland

- 2 (1) The Secretary of State may authorise a universal service provider to purchase compulsorily any land in Scotland required for any purpose in connection with the provision of a universal postal service.
- (2) The power of purchasing land compulsorily under this paragraph includes power to acquire, by creation of a new right, a servitude or other right over land.
- (3) Any land in Scotland vested in a universal service provider by virtue of this Schedule shall be deemed for all purposes to have been acquired by him for the purposes of his undertaking as a universal service provider.

Northern Ireland

- 3 (1) Where a universal service provider proposes to acquire, otherwise than by agreement, any land in Northern Ireland—
- (a) which is required by the universal service provider for any purpose in connection with the provision of a universal postal service, or
- (b) as to which it can reasonably be foreseen that it will be so required,
- the universal service provider may apply to the Secretary of State for an order vesting the land in him, and the Secretary of State shall have power to make such an order.
- (2) The power of acquiring land compulsorily under this paragraph includes power to acquire, by the creation of a new right, an easement or other right over land.

Status: This is the original version (as it was originally enacted).

- (3) The Secretary of State shall consult the First Minister and the deputy First Minister in Northern Ireland before exercising his power to make an order under this paragraph in respect of land which—
- (a) is the property of any public body which has power under any enactment to acquire land compulsorily, or
 - (b) is declared by or under any enactment to be inalienable,
- where representations objecting to the proposal for making the order have been duly made by the owner of the land and not withdrawn.
- (4) Any land in Northern Ireland vested in a universal service provider by virtue of this Schedule shall be deemed for all purposes to have been acquired by him for the purposes of his undertaking as a universal service provider.
- (5) Section 122(1) does not apply to an order of the Secretary of State under this paragraph.
- (6) In this paragraph—
- “land” has the meaning given by section 45(1)(a) of the Interpretation Act (Northern Ireland) 1954, and
 - “public body” means a body established by or under any enactment.