

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, Paragraph 19 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## FIRST SCHEDULE

### PROCEDURE FOR AUTHORISING COMPULSORY PURCHASES

#### Modifications etc. (not altering text)

- C1 Sch. 1 applied by Offshore Petroleum Development (Scotland) Act 1975 (c. 8, SIF 86), s. 1, **Sch. 2 para. 1**
- C1 Sch. 1 extended by Offshore Petroleum Development (Scotland) Act 1975 (c. 8, SIF 86), s. 1, **Sch. 2 para. 1(1)(b)**

### PART V

#### GENERAL

- 19 (1) Any notice or other document required or authorised to be served under this Schedule may be served on any person either by delivering it to him, or by leaving it at his proper address, or by post, so however that the document shall not be duly served by post unless it is sent by registered letter.
- (2) Any such document required or authorised to be served upon an incorporated company or body shall be duly served if it is served upon the secretary or clerk of the company or body.
- (3) For the purposes of this paragraph and of section twenty-six of the Interpretation Act, <sup>M1</sup>1889, the proper address of any person upon whom any such document as aforesaid is to be served shall, in the case of the secretary or clerk of any incorporated company or body, be that of the registered or principal office of the company or body and in any other case be the last known address of the person to be served: Provided that where the person to be served has furnished an address for service, his proper address for the purposes aforesaid shall be the address furnished.
- [<sup>F1</sup>(4) Where the maker of the order in connection with which the document is to be served is satisfied, after reasonable inquiry, that it is not practicable to ascertain (either or both)—
- (a) the name;
  - (b) the address,
- of a person to be served, the document shall be taken to be duly served if, being addressed to that person either by name or by the description of "the owner", "the lessee" or "the occupier" of the land (describing it) to which the order relates, as the case may be, and being plainly identifiable as a document of importance, it is delivered to some person on the land, or, if there is no such person thereon to whom it may be delivered, it (or a copy of it) is affixed to some conspicuous part of the land.]

#### Textual Amendments

- F1 Pt. IV para. 19(4) substituted by Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23, SIF 81:2), **Sch. 2 para. 6**

#### Modifications etc. (not altering text)

- C1 Pt. IV para. 19 applied by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 93, 335, **Sch. 7 Pt. III para. 13(5)**

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Sch. 1 para. 19 applied (with modifications) (27.7.1993) by 1993 c. xii, s. 1, **Sch. Pt. II para.15**

Sch. 1 para. 19 applied (with modifications) (24.3.1994) by 1994 c. i, s. 1, **Sch. 1 Pt. III**, s. 28 (with Sch. ss. 29, 30, 34(2)(15))

Sch. 1 para. 19 applied (with modifications) (24.3.1994) by 1994 c. ii, s. 1, **Sch. Pt. III**, s. 24 (with Sch. s. 25)

Sch. 1 para. 19 applied (with modifications) (24.3.1994) by 1994 c. iii, s. 1, **Sch. Pt. III**, s. 26 (with Sch. s. 27)

**C2** Para. 19 applied with modifications by Agriculture Act 1967 (c. 22), s. 45, **Sch. 5 Pt. I para. 7**

**C3** Sch. 1 para. 19 amended (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 28:2), s. 79(a), **Sch. 17 para.4** (with s. 84(5)); S.I. 1991/2092, **art.3**

### Marginal Citations

**M1** 1889 c. 63.

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