

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

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

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F1 Sch. 17 para. 17 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt.I (with s. 5, Sch. 3)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F2 Sch. 17 para. 18 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt.I (with s. 5, Sch. 3)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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