

SCHEDULES

SCHEDULE 4

Section 39.

PROCEDURE FOR ACQUISITION OF LAND UNDER S. 39 BY AGREEMENT.

England and Wales

- 1 (1) For the purpose of any acquisition by the Minister of land in England or Wales, where the acquisition is by agreement, Part I of the Compulsory Purchase Act 1965 shall apply in accordance with the following provisions of this paragraph.
- (2) In the said Part I as so applied—
- (a) " the acquiring authority " means the Minister ;
 - (b) " the special Act " means section 39 of this Act; and
 - (c) for references to land subject to compulsory purchase there shall be substituted references to land which may be acquired by agreement under the said section 39.
- (3) In relation to the acquisition of land by agreement under section 39, Part I of the said Act of 1965 shall be modified as follows:—
- (a) sections 4 to 8, 10, 27 and 31 shall not apply;
 - (b) section 30(3) shall not apply, but notices required to be served by the Minister under any provision of the said Act of 1965 as applied by this paragraph may, notwithstanding anything in section 30(1) of that Act, be served and addressed in the manner specified in section 30 of this Act

Scotland

- 2 (1) For the purpose of any acquisition by the Minister of land in Scotland, where the acquisition is by agreement, the Lands Clauses Acts, except the following enactments in the Lands Clauses Consolidation (Scotland) Act 1845, that is to say—
sections 120 to 125,
section 127, and
sections 142 and 143,
are hereby incorporated with section 39 of this Act, subject to the following sub-paragraphs.
- (2) In construing the Lands Clauses Acts as incorporated by this paragraph, section 39 of this Act shall be deemed to be the special Act, and references to the promoters of the undertaking shall be construed as references to the Minister.
- (3) Notices required to be served by the Minister under any provision of the Lands Clauses Acts as incorporated by this paragraph may, notwithstanding anything in section 18 of the Lands Clauses Consolidation (Scotland) Act 1845, be served and addressed in the manner specified in section 30 of this Act.