
Changes to legislation: There are currently no known outstanding effects for the Offshore Petroleum Development (Scotland) Act 1975, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

MAKING AND REVOCATION OF EXPEDITED ACQUISITION ORDERS

- 1 (1) Before making an expedited acquisition order the Secretary of State shall—
 - (a) serve on every owner, lessee and occupier of any of the land to be specified in the order; and
 - (b) publish in two successive weeks in one or more newspapers circulating in the locality in which that land is situated, in the London and Edinburgh Gazettes and, if any of the land is situated below the level of mean high water springs, in Lloyd's List,
a notice complying with this paragraph.
- (2) Except where the order relates only to land below the level of mean high water springs, the Secretary of State shall also before making the order affix to a conspicuous object or objects on the land a notice or notices complying with this paragraph.
- (3) Every notice under this paragraph shall—
 - (a) state that the Secretary of State is considering making the order;
 - (b) describe the land to which it relates; and
 - (c) state that representations in writing with respect to the proposed order may be made to the Secretary of State at a specified address and within a specified period, not ending earlier than 21 days from the date on which the notice is first published.
- 2 (1) If any representations with respect to the proposed order are duly made the Secretary of State shall consider those representations; but the Secretary of State shall not be obliged to cause any inquiry to be held or afford to any person an opportunity of being heard.
- (2) After considering any such representations, the Secretary of State may make the order either without modification or subject to such modifications as he thinks fit.
- (3) If the order is made, the Secretary of State shall—
 - (a) serve a notice to that effect together with a copy of the order on every owner, lessee and occupier of any of the land which is the subject of the order; and
 - (b) publish and affix notices to that effect in the manner required by paragraphs 1(1)(b) and (2) above;
- 4 If the Secretary of State decides not to make the order, he shall serve notices to that effect on the persons, and publish and affix such notices in the manner referred to respectively in paragraphs (a) and (b) of paragraph 3 above.
- 5 (1) Subject to the provisions of this paragraph, the Secretary of State may by statutory instrument revoke the order and, if he does so, he shall serve notices to that effect on the persons, and publish and affix such notices in the manner referred to respectively in paragraphs (a) and (b) of paragraph 3 above.

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- (2) No order shall be revoked after possession is taken of the land under Schedule 2 to this Act.
- 6 Section 5(3) of the ^{M1}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and paragraph 19 of Schedule 1 to that Act shall apply to the service of notices under this Schedule.

Marginal Citations

M1 1947 c. 42.

- 7 A certificate by the Secretary of State that all or any of the requirements of paragraphs 1 and 3 above have been complied with in respect of the order, and have been complied with before a specified date, shall be conclusive evidence of those facts in any legal proceedings whether brought before or after the completion of the compulsory acquisition of the land specified in the order.

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