



# Offshore Petroleum Development (Scotland) Act 1975

## 1975 CHAPTER 8

### *Miscellaneous and general*

#### **16 Application to Crown land**

- (1) The power to acquire land under this Act may be exercised in relation to any private interest in Crown land.
- (2) If the Secretary of State considers it expedient for the purpose of enabling him to acquire any private interest that may subsequently be shown to exist in any land, he may make a compulsory purchase order or expedited acquisition order in terms of this Act in respect of that land notwithstanding that there is or may be no interest in the land other than a Crown interest.
- (3) An order made in respect of any land by virtue of subsection (2) above shall not affect any Crown interest in the land but—
  - (a) any general vesting declaration executed by the Secretary of State under Schedule 24 to the Town and Country Planning (Scotland) Act 1972 in respect of the land shall have effect in relation to any private interest therein (whether or not ascertained when the declaration is executed);
  - (b) the Secretary of State shall be liable to pay, in respect of any such private interest in relation to which the declaration has effect, the like compensation and the like interest on the compensation agreed or awarded as he would have been required to pay if he had, at the time mentioned in subsection (4) below, taken possession under paragraph 3 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.
- (4) The time referred to in subsection (3)(b) above is, in the case of a declaration executed by virtue of a compulsory purchase order, the time when the interest vested in the Secretary of State by virtue of the declaration or entry was taken, whichever is the earlier, and, in the case of a declaration executed by virtue of an expedited acquisition order, the time when the land vested in the Secretary of State or entry was taken, whichever is the earlier.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Without prejudice to subsection (3) above, none of the provisions of this Act relating to Crown land shall be construed as prejudicing any Crown interest therein.
- (6) In this section " private interest " means any interest other than a Crown interest.