
Changes to legislation: There are currently no known outstanding effects for the New Towns and Urban Development Corporations Act 1985, Cross Heading: The New Towns (Scotland) Act 1968 (c. 16). (See end of Document for details)

SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

The New Towns (Scotland) Act 1968 (c. 16)

- 1 After section 18 of the New Towns (Scotland) Act 1968 (disposal of land by development corporation) there shall be inserted the following sections—

“18A Secretary of State’s general power.

- (1) The Secretary of State may direct a development corporation to pay to him, on the date specified in the direction, such sum as is so specified, and any sum so received by him shall, subject to section 18C(2) below, be paid into the Consolidated Fund.
- (2) Before giving a direction under this section the Secretary of State shall consult the corporation.
- (3) The debt shall carry interest at the rate for the time being in force under section 40 of the land Compensation (Scotland) Act 1963 from the date specified in the direction until payment.

18B Disposal of land to comply with direction under s. 18A.

- (1) Where, in order to comply with a direction under section 18A above, the corporation considers it desirable to dispose of an land, it may do so by virtue of this section.
- (2) The power of disposal by virtue of this section may be exercised notwithstanding anything in this Act but must be exercised in accordance with subsections (3) and (4) below.
- (3) The power shall not be exercised so as to dispose of land by way of standard security or charge.
- (4) In exercising the power a corporation shall comply with such directions as the Secretary of State may give to it—
 - (a) for restricting the exercise of the power; or
 - (b) for requiring the power to be exercised in any manner specified in the directions.
- (5) Before giving a direction under subsection (4) above the Secretary of State shall consult the corporation unless he is satisfied that because of urgency consultation is impracticable.
- (6) Where a corporation purports to dispose of land by virtue of this section, then—

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- (a) in favour of a person claiming under the corporation, the disposal so purporting to be made shall not be invalid by reason that any direction of the Secretary of State given under this section has not been complied with; and
 - (b) a person dealing with or claiming under the corporation shall not be concerned to see or enquire whether any direction has been given or complied with.
- (7) References in this section to disposing of land include references to granting an interest in or over land.

18C Payments under s. 18A treated as repayments.

- (1) The whole or part of any payment made to the Secretary of State under section 18A above shall, if the Secretary of State with the Treasury's approval so determines, be treated—
- (a) as made by way of repayment of such part of the principal of advances under section 37(1) of this Act, and
 - (b) as made in respect of the repayments due at such times, as may be so determined.
- (2) Any sum treated under subsection (1) as a repayment of a loan shall be paid by the Secretary of State into the National Loans Fund.”

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