

Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958, Paragraph 10. (See end of Document for details)

SCHEDULES

EIGHTH SCHEDULE

TENANCIES OF ALLOTMENT GARDENS AND OTHER ALLOTMENTS

- 10 In the application of this Schedule to Scotland—
- [^{F1}(a) paragraph 1 applies as if sub-paragraph (2) were omitted;]
 - [^{F2}(b) sub-paragraph (1) of paragraph 3 applies as if for “the Act of 1908 or the Act of 1922 or the Allotments Act, 1950, or by virtue of any other enactment relating to allotments” there were substituted “ Part 9 of the Community Empowerment (Scotland) Act 2015 ”;]
 - [^{F3}(c) sub-paragraph (2) of paragraph 3 applies as if—
 - (i) for “any of the enactments mentioned in the next following sub-paragraph” there were substituted “ Part 9 of the Community Empowerment (Scotland) Act 2015 (but excluding any compensation for disturbance) ”,
 - (ii) “garden” were omitted, and
 - (iii) for “subsection (2) of section two of the Act of 1922” there were substituted “section 127(2) of the Community Empowerment (Scotland) Act 2015;]
 - (d) sub-paragraph (3) of paragraph 3 shall be omitted;
 - (e) subject to sub-paragraph (b) of this paragraph, [^{F4}any reference to the Allotments Act, 1950 is to be read as a reference to Part 9 of the Community Empowerment (Scotland) Act 2015] ;
 - [^{F5}(f) sub-paragraph (1) of paragraph 5 applies as if for “section four or section five of the Act of 1922, or of subsection (4) of section forty-seven of the Act of 1908” there were substituted “ section 132 of the Community Empowerment (Scotland) Act 2015 ”;]
 - (g) for references to a valuation and to the judge of the county court there shall be substituted respectively references to arbitration and to the sheriff; and
 - (h) paragraph 8 shall be omitted, ^{F6}...

Textual Amendments

- F1** Sch. EIGHTH para. 10(a) substituted (S.) (1.4.2018) by Community Empowerment (Scotland) Act 2015 (asp 6), s. 142(1), **sch. 4 para. 4(3)(a)**; S.S.I. 2017/458, art. 2, sch.
- F2** Sch. EIGHTH para. 10(b) substituted (S.) (1.4.2018) by Community Empowerment (Scotland) Act 2015 (asp 6), s. 142(1), **sch. 4 para. 4(3)(b)**; S.S.I. 2017/458, art. 2, sch. (with art. 4)
- F3** Sch. EIGHTH para. 10(c) substituted (S.) (1.4.2018) by Community Empowerment (Scotland) Act 2015 (asp 6), s. 142(1), **sch. 4 para. 4(3)(c)**; S.S.I. 2017/458, art. 2, sch. (with art. 4)
- F4** Words in Sch. EIGHTH para. 10(e) substituted (S.) (1.4.2018) by Community Empowerment (Scotland) Act 2015 (asp 6), s. 142(1), **sch. 4 para. 4(3)(d)**; S.S.I. 2017/458, art. 2, sch. (with art. 4)
- F5** Sch. EIGHTH para. 10(f) substituted (S.) (1.4.2018) by Community Empowerment (Scotland) Act 2015 (asp 6), s. 142(1), **sch. 4 para. 4(3)(e)**; S.S.I. 2017/458, art. 2, sch.

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F6 Words in Sch. EIGHTH para. 10(h) repealed (S.) (1.4.2018) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), **sch. 5**; S.S.I. 2017/458, art. 2, sch. (with art. 9)

Modifications etc. (not altering text)

C1 Reference to judge of county court to be construed as reference to judge assigned to county court district or acting as judge so assigned: [Courts Act 1971 \(c. 23\)](#), **Sch. 8 Pt. 1 para. 2**.

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