



Town and Country Planning (Scotland) Act 1959

1959 CHAPTER 70 7 and 8 Eliz 2

PART II

ACQUISITION, APPROPRIATION AND DISPOSAL OF LAND
BY LOCAL AUTHORITIES AND OTHER PUBLIC BODIES

23 Exercise of powers of acquisition by agreement.

- (1) Where by any enactment—
- power is conferred on any authority to whom this Part of this Act applies, or on any class of such authorities, to acquire land by agreement, but
 - that power is so conferred subject to a provision (in whatever terms the provision is expressed, and whether it is contained in the same or in any other enactment) that the power is not to be exercised except with the consent of a Minister specified in that provision, with or without a further provision enabling conditions to be imposed by such a Minister in respect of the exercise of the power,

the enactment shall have effect, in relation to acquisitions to which this section applies, as if it conferred that power free from any such provision as is mentioned in paragraph (b) of this subsection.

- (2) This section applies to every acquisition of land by agreement by an authority to whom this Part of this Act applies, in pursuance of a contract made after the commencement of this Act.
- (3) In this Part of this Act “authority to whom this Part of this Act applies” means a body of any of the descriptions specified in the Fourth Schedule to this Act; “land” includes any servitude and any other interest in, or right over, land; “Minister” means a Minister of the Crown or a government department; and “consent” includes approval, sanction and authorisation.

Changes to legislation:

There are currently no known outstanding effects for the *Town and Country Planning (Scotland) Act 1959*, Section 23.