

**Changes to legislation:** Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, Paragraph 15 is up to date with all changes known to be in force on or before 25 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## FIRST SCHEDULE

### PROCEDURE FOR AUTHORISING COMPULSORY PURCHASES

#### Modifications etc. (not altering text)

- C1 Sch. 1 applied by [Offshore Petroleum Development \(Scotland\) Act 1975 \(c. 8, SIF 86\)](#), s. 1, [Sch. 2 para. 1](#)
- C1 Sch. 1 extended by [Offshore Petroleum Development \(Scotland\) Act 1975 \(c. 8, SIF 86\)](#), s 1, [Sch. 2 para. 1\(1\)\(b\)](#)

## PART IV

### VALIDITY AND DATE OF OPERATION OF COMPULSORY PURCHASE ORDERS

#### Modifications etc. (not altering text)

- C1 Pt. IV applied with modifications by [Water \(Scotland\) Act 1980 \(c. 45, SIF 130\)](#), [Sch. 2 para. 7](#)
- C1 Part IV applied with modifications by [Opencast Coal Act 1958 \(c. 69\)](#), ss. 4, 39, [Sch. 2 Pt. I](#) (as amended (31.10.1994) by [1994 c. 21, s. 52](#), [Sch. 8 para. 38](#) (with s. 40(7)); S.I. 1994/2553, [art. 2](#)) and [Gas Act 1965 \(c. 36\)](#), [s. 4\(8\)](#); Sch. 2 paras. 11, 17
- C1 Sch. 1 Pt. IV applied (31.10.1994) by [1958 c. 69, s. 16\(5\)](#) (as substituted by [1994 c. 21, s. 52](#), [Sch. 8 para. 14\(7\)](#) (with s. 40(7)); S.I. 1994/2553, [art. 2](#))

- 15 (1) If any person aggrieved by a compulsory purchase order desires to question the validity thereof, or of any provision contained therein, on the ground that the authorisation of a compulsory purchase thereby granted is not empowered to be granted under this Act or any such enactment as is mentioned in subsection (1) of section one of this Act, or if any person aggrieved by a compulsory purchase order or a certificate under Part III of this Schedule desires to question the validity thereof on the ground that any requirement of this Act or of any regulation made thereunder has not been complied with in relation to the order or certificate, he may, within six weeks from the date on which notice of the confirmation or making of the order or of the giving of the certificate is first published in accordance with the provisions of this Schedule in that behalf, make an application to the Court of Session, and on any such application the Court—
- (a) may by interim order suspend the operation of the compulsory purchase order or any provision contained therein, or of the certificate, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings;
  - (b) if satisfied that the authorisation granted by the compulsory purchase order is not empowered to be granted as aforesaid, or that the interests of the applicant have been substantially prejudiced by any requirement of this Schedule or of any regulation made thereunder not having been complied with, may quash the compulsory purchase order or any provision contained therein, or the certificate, either generally or in so far as it affects any property of the applicant.

(2) ..... F1

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#### Textual Amendments

**F1** Sch. 1 para. 15(2) repealed by [Tribunals and Inquiries Act 1958 \(c. 66\)](#), **Sch. 2 Pt. I**

#### Modifications etc. (not altering text)

- C1** Pt. IV para. 15 amended by [Land Compensation \(Scotland\) Act 1973 \(c. 56, SIF 28:2\)](#), **s. 60**
- C2** Pt. IV para. 15 applied (with modifications) by [Gas Act 1986 \(c. 44, SIF 44:2\)](#), s. 9(3), Sch. 3 Pt. III paras. 16, **23**
- C3** Pt. IV para. 15 applied (with modifications) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 93, 335, **Sch. 7 Pt. II para. 11**
- C4** Para. 15 applied with modification by [Agriculture Act 1967 \(c. 22\)](#), s. 45, **Sch. 5 Pt. I para. 7**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [2021 asp 9 s. 68\(4\)](#)