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SCHEDULES

FOURTH SCHEDULE

Section 30.

ADJUSTMENTS OF THE FUNCTIONS OF STATUTORY UNDERTAKERS

PART I

- 1 Where it appears to the Minister and the appropriate Minister, upon a representation made by the person carrying on a statutory undertaking, that in order to facilitate any adjustment of the carrying on of the undertaking necessitated by any order made or proposed to be made under or in pursuance of Part III of this Act, or by any direction given or proposed to be given in pursuance of the said Part III, it is expedient that the powers and duties of the said person in relation to the carrying on of the undertaking should be extended or modified, the Minister and the appropriate Minister may by order provide for such extension or modification of the said powers and duties as appears to them to be requisite for facilitating the adjustment.
- 2 Without prejudice to the generality of the provisions of the foregoing paragraph, an order under this Part of this Schedule may provide—
 - (a) for empowering the person carrying on the undertaking to acquire, whether compulsorily or by agreement, any land specified in the order and to erect or construct any buildings or works so specified;
 - (b) for applying in relation to the acquisition of such land and the construction of such works enactments relating to the acquisition of land and the construction of works (including the Acquisition of Land (Assessment of Compensation) Act, 1919 and Part V of the Town and Country Planning Act, 1947);and for such incidental and supplemental matters as appear to the Minister and the appropriate Minister to be expedient for the purposes of the order.
- 3 As soon as may be after the making of a representation under this Part of this Schedule, the person carrying on the undertaking shall publish, in such form and manner as may be directed by the Minister and the appropriate Minister, a notice giving such particulars as may be so directed of the matters to which the representation relates and specifying the time within which, and the manner in which, objections to the making of an order on the representation may be made, and shall also, if it is so directed by the Minister and the appropriate Minister, serve a like notice on such persons, or persons of such classes, as may be so directed.
- 4 The provisions of the First Schedule to the Town and Country Planning Act, 1944, shall have, effect as if the reference in sub-paragraph (1) of paragraph 1 of that Schedule to the making of an order under section twenty-six of that Act included a reference to the making of an order under this Part of this Schedule; and, subject to those provisions in a case in which they have effect, the 'Minister and the appropriate Minister may, if they think fit, make an order.
- 5 An order under this Part of this Schedule shall be subject to special parliamentary procedure.

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PART II

- 6 Where on a representation in that behalf made by the person carrying on a statutory undertaking the appropriate Minister is satisfied that the making of any order under or in pursuance of Part III of this Act or the giving of any direction in pursuance of- the said Part III has rendered impracticable the fulfilment of any obligation of the said person incurred in connection with the carrying on of the undertaking, the appropriate Minister may by order direct that the said person shall be relieved of the fulfilment of the obligation either absolutely or to such extent as may be specified in the order.
- 7 As soon as may be after the making of a representation to the appropriate Minister under the last foregoing paragraph the person carrying on the undertaking in question shall, as may be directed by the appropriate Minister, either publish, in such manner as may be so directed, a notice giving such particulars as may be so directed of the matters to which the representation relates and specifying the time within which, and the manner in which, objections to the making of an order on the representation may be made, or serve such a notice on such persons, or persons of such classes, as may be so directed, or both publish and serve such notices.
- 8 The provisions of the First Schedule to the Town and Country Planning Act, 1944, shall have effect as if the reference in sub-paragraph (1) of paragraph 1 of that Schedule to the making of an order under section twenty-seven of that Act included a reference to the making of an order under this Part of this Schedule; and subject to those provisions in a case in which they have effect, the appropriate Minister may, if he thinks fit, make an order.
- 9 If any objection to the making of an order under this Part of this Schedule is made and is not withdrawn before the making of the order, the order shall be subject to special parliamentary procedure.

PART III

- 10 This Schedule shall apply to Scotland subject to the following modifications:—
- (a) for references to the Town and Country Planning Act, 1944, to sections twenty-six and twenty-seven thereof, to the First Schedule thereto and to sub-paragraph (1) of paragraph 1 of that Schedule there shall be substituted respectively references to the Town and Country Planning (Scotland) Act, 1945, to sections twenty-five and twenty-six thereof, to the First Schedule thereto, and to sub-paragraph (1) of paragraph 1 of that Schedule; and
 - (b) for the reference to Part V of the Town and Country Planning Act, 1947, there shall be substituted a reference to Part IV of the Town and Country Planning (Scotland) Act, 1947.