

---

STATUTORY INSTRUMENTS

---

**2016 No. 863**

The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016

PART 5

POWERS OF ACQUISITION

**Compulsory acquisition of land – incorporation of the mineral code**

**33.** Parts 2 and 3 of Schedule 2 (minerals) to the Acquisition of Land Act 1981<sup>(1)</sup> are incorporated in this Order subject to the modifications that—

- (a) paragraph 8(3) is not incorporated;
- (b) for “the acquiring authority” substitute “the undertaker”; and
- (c) for “minerals” substitute “minerals and other substances”.

---

<sup>(1)</sup> 1981 c. 67. Sub-paragraph (5) of paragraph 1 of Part 1 of Schedule 2 was amended by section 67 of, and paragraph 27(3) of Schedule 9 to, the Coal Industry Act 1994 (c. 21) and paragraph 8 of Part 3 of Schedule 2 was amended by section 46 of the Criminal Justice Act 1982 (c. 48). There are other amendments to the 1981 Act which are not relevant to this Order.