
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 47

**The Forestry and Land Management (Scotland)
Act 2018 (Commencement, Transitional
and Saving Provisions) Regulations 2019**

Saving: compulsory purchase proceedings commenced before the appointed day

20.—(1) Where paragraph (2) applies, the provisions referred to in paragraph (3) continue to have effect, on and after the appointed day, as they did immediately before that day.

(2) This paragraph applies to—

- (a) the compulsory purchase of land under sections 39 and 40(c) of the 1967 Act⁽¹⁾ which was commenced but not completed before the appointed day, and
- (b) any claim for compensation in connection with the rights or interests in land acquired under sections 39 and 40 which is made but not determined before the appointed day.

(3) The provisions are sections 30, 39, 40, 48 and 49 and schedule 5(d) of the 1967 Act⁽²⁾.

(4) For the purposes of this regulation—

- (a) the compulsory purchase of land is “completed” when the compulsory purchase order is made and the period in which the validity of that order can be challenged in terms of paragraph 8 of schedule 5 has expired, and
- (b) a claim for compensation is “determined” by—
 - (i) agreement of the parties under Part III of schedule 5 of the 1967 Act, or
 - (ii) the Lands Tribunal for Scotland where any question of disputed compensation is referred to the Tribunal under section 8 of the Land Compensation (Scotland) Act 1963⁽³⁾.

(1) Section 40 was amended by the 1999 Order ([S.I. 1999/1747](#)), schedule 12(II), paragraph 4(32)(a) and (b) and by the Local
(2) Schedule 5 was amended by the 1999 Order ([S.I. 1999/1747](#)), schedule 12(II), paragraph 4(41)(a), (b) and (c) and by the Title
Conditions (Scotland) Act 2003 ([asp 9](#)), section 110 and the Local Government etc. (Scotland) Act 1994 ([c.39](#)), schedule
13, paragraph 69.
(3) [1963 c.51](#), to which there are no relevant amendments.