

Changes to legislation: There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, SCHEDULE 9. (See end of Document for details)

SCHEDULES

SCHEDULE 9

Section 48.

SAVING AND TRANSITIONAL PROVISIONS

- 1 In so far as any order, regulation, certificate, declaration or other instrument made, given or executed under any enactment repealed by this Act, or any other thing done under or by virtue of any such enactment, could have been made, given, executed or done under or by virtue of a corresponding provision of this Act, it shall not be invalidated by the repeals effected by section 48 of this Act but, subject to paragraph 3 below, shall have effect as if made, given, executed or done under or by virtue of that corresponding provision.
- 2 Without prejudice to paragraph 1 above, any provision of this Act relating to anything done or required or authorised to be done under, or by reference to, that provision or any other provision of this Act shall, subject to paragraph 3 below, have effect as if any reference to that provision or that other provision, as the case may be, included a reference to the corresponding provision of the enactments repealed by this Act.
- 3 Notwithstanding anything in paragraph 1 or 2 above, any advance made to a development corporation before the commencement of this Act under section 12(1) of the ^{M1}New Towns act 1946 shall be regarded for the purpose of section 43 of the ^{M2}New Towns Act 1965 as having been made under the said section 12(1) and not under section 37(1) (the corresponding provision) of this Act.

Marginal Citations

- M1** 1946 c. 68.
M2 1965 c. 59.

- 4 Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of this Act.
- 5 Where any Act (whether passed before, or in the same Session as, this Act) or any document refers, either expressly or by implication, to an enactment (including an enactment as applied by the ^{M3}New Towns Act 1946) repealed by this Act, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.

Marginal Citations

- M3** 1946 c. 68.

- 6 (1) Notwithstanding section 8(3) of this Act, paragraph 12 of Schedule 3 to this Act shall not apply to a compulsory purchase order under section 8 of this Act in the case of which any of the following things is done before the commencement of this Act, that is to say—

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- (a) the order is submitted to the Secretary of State under Part I of Schedule 3 to this Act or an application for the order is submitted to the Secretary of State and the appropriate Minister under Part I of Schedule 4 to this Act;
- (b) a notice relating to a draft of the order is published under Part III of the said Schedule 3 or served under Part II of the said Schedule 4.

(2) Notwithstanding the said section 8(3), paragraph 13 of Schedule 3 to this Act shall not apply to a compulsory purchase order under section 8(2) of this Act in the case of which either of the things mentioned in sub-paragraph (1)(b) above is done before the commencement of this Act.

7 Without prejudice to paragraph 5 above, the reference to section 51 of the ^{M4}Town and Country Planning (Scotland) Act 1945 as applied by the ^{M5}New Towns Act 1946 contained in Part II of Schedule 3 to the ^{M6}War Damage Act 1964 (which lists enactments repealed as from 1st October 1968) shall be construed as a reference to section 15(2) of this Act.

Marginal Citations

M4 1945 c. 33.
M5 1946 c. 68.
M6 1964 c. 25.

8 Nothing in this Schedule shall be taken as prejudicing the operation of section 38 of the ^{M7}Interpretation Act 1889 (which relates to the effect of repeals).

Marginal Citations

M7 1889 c. 63.

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