

SCHEDULE

AMENDMENT OF ENACTMENTS

4.—(1) In section 1 of the Pipe-lines Act 1962 (cross-country pipe-lines not to be constructed without the Minister’s authority)—

(a) in subsection (5), for “every owner, lessee and occupier (other than tenants for a month or any period less than a month) of the land”, substitute “every person who falls within subsection (6)”; and

(b) after subsection (5), insert—

“(6) A person falls within this subsection if he is—

(a) an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;

(b) a person to whom the applicant would, if it were proceeding to purchase that land under section 5(1) of the Compulsory Purchase Act 1965, be required to give notice to treat, or

(c) a person who the applicant thinks would be likely to be entitled to make a claim for compensation under section 10 of that Act if that land were purchased under a compulsory purchase order, so far as he is known to the applicant after making diligent inquiry.”.

(2) In section 4 of that Act (power of Minister to secure the removal of works executed in contravention of section 1 or 2)—

(a) in subsection (3), for “every owner, lessee and occupier of the land (except tenants for a month or any period less than a month)”, substitute “every person who falls within subsection (3A)”; and

(b) after subsection (3), insert—

“(3A) A person falls within this subsection if he is—

(a) an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;

(b) a person to whom the applicant would, if it were proceeding to purchase that land under section 5(1) of the Compulsory Purchase Act 1965, be required to give notice to treat, or

(c) a person who the applicant thinks would be likely to be entitled to make a claim for compensation under section 10 of that Act if the land were purchased under a compulsory purchase order, so far as he is known to the applicant after making diligent inquiry.”.

(3) In section 13 of that Act (power of Minister to attach conditions to compulsory rights orders)

(a) in subsection (2)—

(i) for “the next following subsection”, substitute “subsection (3)”; and

(ii) for the words from “an owner” to “such an order”, substitute—

““a person who falls within subsection (2A), or of the person for whose benefit a compulsory rights order””;

(b) after subsection (2), insert—

“(2A) A person falls within this subsection if he is an owner, lessee, tenant (whatever the tenancy period) or occupier of land comprised in a compulsory rights order.”; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) in subsection (6), in the definition of “persons concerned”, for “every owner, lessee and occupier (other than a tenant for a month or a period less than a month)”, substitute “every owner, lessee, tenant (whatever the tenancy period) or occupier”.
- (4) In Schedule 2 to that Act (applications for grant of compulsory purchase orders and compulsory rights orders), in Part 1 (application for grant of compulsory purchase orders)—
 - (a) in paragraph 3(b), for “every owner, lessee and occupier (except tenants for a month or any period less than a month) of any land proposed to be comprised in the order”, substitute—
 - “every person—
 - (i) who is an owner, lessee, tenant (whatever the tenancy period) or occupier of any land proposed to be comprised in the order;
 - (ii) to whom the applicant would, if proceeding under section 5(1) of the Compulsory Purchase Act 1965, be required to give a notice to treat; or
 - (iii) who the applicant thinks is likely to be entitled to make a claim for compensation under section 10 of that Act if the order is confirmed and the compulsory purchase takes place, so far as he is known to the applicant after making diligent inquiry,”; and
 - (b) in paragraph 4—
 - (i) in sub-paragraphs (1) and (2), for “any such owner, lessee or occupier as aforesaid”, substitute “any such person as is mentioned in paragraph 3(b)”; and
 - (ii) in sub-paragraph (3), for “any such owner, lessee or occupier as aforesaid” (in both places), substitute “any such person”.

Harbours Act 1964 (c.40)