



# Water Industry (Scotland) Act 2002

## 2002 asp 3

### PART 3

#### SCOTTISH WATER

##### *Land transactions*

#### **47 Compulsory acquisition of land**

- (1) Scottish Water may—
  - (a) for the purposes of any of its core functions, or
  - (b) for the purpose specified in section 46(1)(b),be authorised by the Scottish Ministers to purchase compulsorily under this subsection land (other than water rights) situated in Scotland.
- (2) Subsection (1) is—
  - (a) without prejudice to any order under section 17 (acquisition of water rights) of the 1980 Act, and
  - (b) subject to section 18 (authorisation of compulsory acquisition of land necessary for purposes of order under section 17) of that Act.
- (3) Scottish Water is, in respect of all of its core functions, a statutory undertaker for the purposes of section 120(1)(b) of the Local Government, Planning and Land Act 1980 (c. 65) (persons to whose compulsory acquisition of an interest in land the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42) in certain circumstances applies).
- (4) Scottish Water may be authorised by the Scottish Ministers to purchase compulsorily, or may acquire by agreement, land in Scotland for giving in exchange for such land as is mentioned in section 1(2)(b) of that Act of 1947.
- (5) This section is subject to section 67(4).