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**Changes to legislation:** There are currently no known outstanding effects for the Offshore Petroleum Development (Scotland) Act 1975, Cross Heading: Power to take possession. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### EFFECT OF EXPEDITED ACQUISITION ORDERS

##### *Power to take possession*

- 2 (1) The Secretary of State shall be entitled to enter on and take possession of the land specified in the order at any time after the expiration of the period of 14 days beginning with the date on which the order comes into operation.
- (2) Sub-paragraph (1) above has effect notwithstanding sections 83 and 114 of the <sup>M1</sup>Lands Clauses Consolidation (Scotland) Act 1845 (compensation to be paid before entry) and paragraph 3 of Schedule 2 to the said Act of 1947 (notice before entry), but where the Secretary of State takes possession of land by virtue of this paragraph he shall be liable to pay the like compensation and the like interest on the compensation agreed or awarded, as he would have been required to pay if he had taken possession of the land under the said paragraph 3.
- (3) Where the Secretary of State is authorised under this paragraph to enter on and take possession of land, and the owner or occupier of any of that land, or any other person, refuses to give up possession of it, then a copy of the order shall be sufficient warrant for the ejection of the person refusing to give up or hindering possession; and in such a case section 89 of the said Act of 1845 (proceedings in case of refusal to deliver possession of lands) shall not apply.

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#### **Marginal Citations**

**M1** 1845 c. 19.

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