



Offshore Petroleum Development (Scotland) Act 1975

1975 CHAPTER 8

Miscellaneous and general

12 Supplementary provisions as to acquisition and appropriation of land.

- (1) The power of the Secretary of State to acquire land compulsorily under this Act shall include power to acquire a servitude or other right over land by the creation of a new right.
- (2) For the purpose of the acquisition of land by agreement by the Secretary of State under this Act, the Lands Clauses Acts (except the provisions relating to the acquisition of land otherwise than by agreement and the provisions relating to access to the special Act, and except sections 120 to 125 of the ^{M1}Lands Clauses Consolidation (Scotland) Act 1845) and section 6 and sections 70 to 78 of the ^{M2}Railways Clauses Consolidation (Scotland) Act 1845 as originally enacted and not as amended for certain purposes by section 15 of the ^{M3}Mines (Working Facilities and Support) Act 1923, shall be incorporated with section 1 of this Act, and in construing those Acts for the purposes of that section, that section shall be deemed to be the special Act and the Secretary of State to be the promoter of the undertaking or company, as the case may require.
- (3) Where the Secretary of State holds land for a purpose other than a purpose for which land may be acquired under this Act, he may appropriate it for the latter purpose; and any reference in this Act to land of which possession has been taken under this Act includes a reference to land appropriated by him under this subsection.
- (4) For the avoidance of doubt it is hereby declared that the power to purchase land by an expedited acquisition order is exercisable notwithstanding any enactment providing that the land is or may be declared to be inalienable.

Marginal Citations

M1 1845 c. 19.

M2 1845 c. 33.

Changes to legislation: *There are currently no known outstanding effects for the Offshore Petroleum Development (Scotland) Act 1975, Section 12. (See end of Document for details)*

M3 1923 c. 20.

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There are currently no known outstanding effects for the Offshore Petroleum Development (Scotland) Act 1975, Section 12.