

Changes to legislation: There are currently no known outstanding effects for the Land Settlement (Scotland) Act 1919. (See end of Document for details)

FIRST SCHEDULE

Sections 3 and 20.

PROVISIONS AS TO THE COMPULSORY ACQUISITION OF LAND

Modifications etc. (not altering text)

C1 Functions of Secretary for Scotland now exercisable by Secretary of State: [Secretaries of State Act 1926 \(c. 18\)](#) s. 1

- (1) Where under this Act the Board propose to acquire land compulsorily to provide for the compulsory acquisition of land by a local authority, the Board may prepare an Order putting in force as respects the land specified in the Order the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement
- (2) The Order shall be in the prescribed form, and shall contain such provisions as may be prescribed for the purpose of carrying the Order into effect, and shall incorporate, with any necessary adaptations, the Lands Clauses Acts (except the provisions thereof relating to the sale of superfluous lands), and sections seventy to seventy-eight of the ^{M1}Railways Clauses Consolidation (Scotland) Act, 1845, and those Acts shall apply accordingly.

Marginal Citations

M1 1845 c. 33.

- (3) The Order shall be published by the Board in the prescribed manner, and such notice as may be prescribed shall be given both in the locality in which the land specified in the Order is situate, and to the owners or reputed owners, lessees or reputed lessees, and occupiers of that land.
- (4) Any person having a right or interest in the land specified in the Order may, within the prescribed period, present in writing to the Board an objection to the making of the Order.
- (5) If within that period no such objection has been so presented, or every such objection so presented has been withdrawn, the Board may ^{F1} forthwith make the Order; but, if any such objection has been duly presented and has not been withdrawn, the Board shall take the same into consideration, and, after such inquiry (if any) as they think fit, may either withdraw the Order, without prejudice to the preparation and making of a new Order, or may make the Order with or without modification. ^{F1}

Textual Amendments

F1 Words repealed by [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\)](#), [Sch.](#)

(^{F2}6)

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Textual Amendments

F2 Sch. 1 para. 6 repealed (S.) (1.4.2018) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), [sch. 5](#); S.S.I. 2017/458, art. 2, [sch.](#)

- (7) Any Order made under this schedule ^{F3} shall have effect as if enacted by Parliament.

Textual Amendments

F3 Words repealed by [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\)](#), [Sch.](#)

- (8) (a) In construing, for the purposes of this schedule, or any Order made thereunder, any enactment incorporated with the Order, this Act together with the Order shall be deemed to be the Special Act, and the Board or the local authority, as the case may be, shall be deemed to be the promoters of the undertaking.
- (b) In this schedule, the expression “land” includes water and any right or servitude to or over land or water, and “prescribed” means prescribed by the Secretary for Scotland.

SECOND SCHEDULE

Section 17.

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE ACT OF 1911.

Modifications etc. (not altering text)

C2 The text of Sch. 2 and 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment to be amended.

Amendment.

Small Landholders (Scotland) Act, 1911 (1 & 2 Geo. 5. c. 49).

Section 7

At the end of subsection (6) the following words shall be inserted:— “ nor shall the rent payable in respect of a new holding constituted by a scheme made under this section be so altered for a like period ”.

In subsection (12) for the words “Land Court” there shall be substituted the word “Board”.

At the end of subsection (18) the following words shall be inserted:— “ and any other land which has been or may be acquired by the Board ”

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Section 24	In subsection (3) after the words “or the Land Court” there shall be inserted the words “or the Board” and after the words “from the Land Court”, there shall be inserted the words “or from the Board”.
Section 35	For the words “Land Court” there shall be inserted the word “Board.”

THIRD SCHEDULE

Section 23.

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE ACT OF 1892.

Modifications etc. (not altering text)

- C3** The text of Sch. 2 and 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment to be amended.	Amendment.
The Allotments (Scotland) Act, 1892 (55 & 56 Vict. c. 54.)	
Section 2	For the word “county,” wherever occurring, there shall be substituted the word “parish”.
Section 3	In paragraphs (a) and (b) of subsection (5), and in subsection (7), for the words “local authority,” wherever occurring, there shall be substituted the words “Board of Agriculture for Scotland,” and for the words “a provisional order,” wherever occurring, there shall be substituted the words “an order”.
Section 12	For the words “any parish in their county” there shall be substituted the word “parish”.
Section 14	For the word “county,” wherever occurring, there shall be substituted the word “parish”.
Section 16	In the definition of “local authority,” for the words “in a county the county council” there shall be substituted the words “elsewhere than a burgh the parish council”.

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^{F4}F4 FOURTH SCHEDULE

Textual Amendments

F4 [Sch. 4](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

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