

PART III
—cont.

(2) Any such order may contain such consequential, incidental and supplemental provisions as appear to the Minister to be necessary or expedient for the purposes of the order, including, in particular, provisions for authorising persons to enter upon land for the purpose of carrying out, installing, maintaining or removing any works, structures or apparatus.

(3) No person shall, in the exercise of a power conferred by any such order, enter upon land which is occupied, unless, not less than seven days before the day upon which the entry is made, there has been served upon the occupier of the land a notice stating that an entry will be made upon the land upon that day in the exercise of powers conferred by the order, and specifying the purposes for which the entry will be made:

Provided that nothing in this subsection shall restrict the right of any person to enter upon land in a case of emergency or for the purpose of performing any functions which are required to be performed from time to time in connection with the maintenance or use of any works, structures or apparatus.

(4) Where any land is damaged in the exercise of any power of entry conferred by any such order, the Minister shall pay such compensation to the persons interested in the land as may be just; and where any dispute arises as to whether compensation is payable under this subsection, or as to the amount of any such compensation, or as to the persons to whom it is payable, the dispute shall be referred to and determined by the Lands Tribunal.

(5) The ownership of anything shall not be affected by reason only that it is placed on or under, or affixed to, any land in pursuance of any such order; and, so long as any such order is in force, no person shall, except with the consent of the Minister, wilfully interfere with any works carried out on any land in pursuance of the order, or with anything installed on, under, over or across any land in pursuance of the order.

(6) Subject to the special provisions of this Part of this Act relating to statutory undertakers, the provisions of the First Schedule to this Act shall have effect with respect to orders under this section.

(7) Where an order under this section provides for the creation of an easement over land held by a statutory undertaker for the purposes of the carrying on of his undertaking, or of any other right in or in relation to such land, then, if on a representation made to the appropriate Minister before the expiration of the time within which objections to the order may be made the appropriate Minister is satisfied that the easement or right could not be enjoyed without serious detriment to the carrying on of the undertaking, and certifies accordingly, the order shall be subject to special parliamentary procedure.

This subsection shall not extend to Northern Ireland.