

Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1934, Preliminary Procedure. (See end of Document for details)

SCHEDULES

SECOND SCHEDULE ^{F1}

ACQUISITION OF LAND BY VESTING ORDERS

F1 See note to s.22(2)

PRELIMINARY PROCEDURE

- 1 The local authority, where they propose to acquire land otherwise than by agreement, may submit to the Ministry of Home Affairs an application in the prescribed form for an order vesting in the local authority the land specified in the application.
- 2 Notice of the application shall be published by the local authority in the prescribed manner, and such notice shall be given both in the locality in which the land is proposed to be acquired and to the [^{F1} persons appearing to the local authority to have interests in] that land as may be prescribed.

Notice of the application shall also be given to such Government departments as may be prescribed.

F1 1946 c.4 (NI)

- 3 On the expiration of one month after the publication of the notice of the application, the Ministry of Home Affairs, after considering all objections to the application which may have been presented to the said Ministry by persons interested in the land specified in the application, and after causing a local inquiry to be held (if the said Ministry thinks it necessary to do so) as to the propriety of making the order applied for, may make an order vesting in the local authority the said land, or so much thereof, as the said Ministry thinks proper.

If a local inquiry is held as aforesaid, the local authority and all persons interested in the land, and such other persons as the person holding the inquiry in his discretion thinks fit to allow, shall be permitted to appear and to be heard at the inquiry, and before making the order, the Ministry of Home Affairs shall consider the report of the person who held the inquiry, and all objections made thereat.

- 4 The order shall contain such provisions as the Ministry of Home Affairs thinks necessary for the purpose of carrying the order into effect, and may provide for the suspension of the operation of the order, or any part thereof, until the local authority have paid, or made provision to the satisfaction of the said Ministry for the payment of, compensation to persons interested in the land to which the order relates, or in land injuriously affected by the works proposed to be carried out by the local authority.

An order made by the Ministry of Home Affairs as aforesaid is in this Schedule referred to as a “vesting order.”

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- 5 Notice of a vesting order which has become operative shall be given to such Government departments (including the Ministry of Finance) as may be prescribed.

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