



Inland Navigation Act (Northern Ireland) 1954

1954 CHAPTER 1

4 Compensation for certain loss or damage.

- (1) Where any person suffers any loss or damage by reason—
 - (a) of the abandonment referred to in section two of this Act, or of any works carried out under that section; or
 - (b) of anything done or omitted under or by virtue of the foregoing provisions of this Act which, if this Act had not been passed, would have given rise to a right of action against the Lagan Navigation Company or, as the case may be, the Upper Bann Navigation Trustees; or
 - (c) of any other thing done or omitted under or by virtue of section two of this Act; he shall, subject to the provisions of this Act, be entitled in respect of such loss or damage to reasonable compensation to be paid or provided by the Ministry in accordance with the succeeding provisions of this section.
- (2) In lieu of paying pecuniary compensation the Ministry may by agreement construct or repair works or provide facilities to replace works or facilities which have been impaired or removed by or in consequence of the abandonment referred to in section two of this Act or the performance by the Ministry of any of its functions under the foregoing provisions of this Act; and where anything so done by way of replacement or repair affords or is likely to afford advantages or facilities better than those existing before the abandonment, the Ministry may enter into an agreement with any person whereby that person shall bear a fair part of the cost incurred by the Ministry in connection with such replacement or repair.
- (3) Every claim for compensation under this section shall in default of agreement be [^{F1} referred to and determined by the Lands Tribunal for Northern Ireland].
- (4) The Ministry may for the purposes of this section make regulations prescribing the time within which and the manner in which claims under this section are to be made, the particulars to be furnished by claimants and any other matters appearing to the Ministry to be necessary or expedient for the expeditious disposal of claims.

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Inland Navigation Act (Northern Ireland) 1954, Section 4. (See end of Document for details)

F1 1964 c. 29 (NI)

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