

SCHEDULES

SCHEDULE 5

Section 15(4).

MODIFICATIONS OF SECTION 22(2) OF AND SCHEDULE 2 TO THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1934 FOR THE PURPOSES OF SECTION 15

- 1 References to a vesting order made under section 22 of the Local Government Act (Northern Ireland) 1934 or to the powers conferred by that section shall be construed as references, as the case may be, to a vesting order made under, or the powers conferred by, section 15.
- 2 References to the local authority shall be construed as references to the new town commission.
- 3 References to the Ministry within the meaning of that Act shall be construed as references to the Ministry within the meaning of this Act.
- 4 Subject to paragraph 1, references to the said section 22 or to Schedule 2 to the said Act of 1934 shall be construed as references to that section or, as the case may be, that Schedule as applied and modified by this Schedule.
- 5 In the first paragraph of article 6 of the said Schedule 2, the reference to the rate or fund out of which the expenses of the local authority in acquiring the land are to be defrayed shall be construed as a reference to such fund of the new town commission as the Ministry may designate as the fund out of which the expenses of the new town commission in acquiring the land are to be defrayed.
- 6 In article 11(1) of that Schedule, the reference to the clerk of the local authority shall be construed as a reference to the general manager of the new town commission.
- 7 In article 27 of that Schedule, the reference to the area of the local authority shall be construed as a reference to the locality where the land is situated.
- 8 In article 28 of that Schedule, for the definition of “land” there shall be substituted the definition contained in section 45(1)(a) of the Interpretation Act (Northern Ireland) 1954 .
- 9 In that Schedule, “estate” shall have the meaning assigned to it by section 45(2) of the Interpretation Act (Northern Ireland) 1954.
- 10 Where under subsection (3) of section 15 an application is made to the Ministry for a vesting order in respect of an estate in land, being an estate less than a fee simple, or where under paragraph (b) of that subsection the Ministry makes such an order, the provisions of the said section 22(2) and Schedule 2 shall have effect with such modifications as may be necessary to enable that estate to be acquired by means of the vesting order and to enable compensation in respect thereof to be duly paid or discharged and (without prejudice to the generality of the foregoing provisions) shall have effect as if for the first paragraph of article 6 of the said Schedule 2 there were substituted the following paragraph—

Changes to legislation: *There are currently no known outstanding effects for the New Towns Act (Northern Ireland) 1965, SCHEDULE 5. (See end of Document for details)*

“A vesting order shall operate, without further assurance, to vest in the new town commission, as from the date on which the vesting order becomes operative (in this Schedule referred to as “the date of vesting”), all such estates in, to or over the land to which the vesting order relates as are specified in the vesting order, freed and discharged from all the estates of any other person whomsoever therein save only as may be expressly excepted in the vesting order, and the rights and claims of any such other person in respect of the estate so vested shall, as from the date of vesting, be transferred and attached, to the extent to which compensation may be payable in accordance with the provisions of this Schedule, to such fund of the new town commission as the Ministry may designate as the fund out of which the expenses of the new town commission in acquiring the land are to be defrayed (in this Schedule referred to as “the Compensation Fund”), and shall be discharged by payments made out of the Compensation Fund.”.

Changes to legislation:

There are currently no known outstanding effects for the New Towns Act (Northern Ireland) 1965, SCHEDULE 5.