SCHEDULE 1

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

2.—(1) Without prejudice to the generality of paragraph 1, the Land Compensation Act 1973(**1**) shall have effect subject to the modifications set out in sub-paragraphs (2) and (3).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4—

(a) for the words "land is acquired or taken" there shall be substituted the words "a right over land is purchased"; and

(b) for the words "acquired or taken from him" there shall be substituted the words "over which the right is exercisable".

(3) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5—

(a) for the word "part" in paragraphs (a) and (b) there shall be substituted the words "a right over land consisting";

(b) for the word "severance" there shall be substituted the words "right over the whole of the house, building or manufactory or of the house and the park or garden";

(c) for the words "part proposed" there shall be substituted the words "right proposed"; and

(d) for the words "part is" there shall be substituted the words "right is".

(**1**) 1973 c. 26.