



2016 CHAPTER 28

Basic loss payment

1. After Article 33 of the Land Acquisition and Compensation (Northern Ireland) Order 1973 (“the 1973 Order”) insert—

“Other loss payments

33A Basic loss payment

- (1) This Article applies to a person—
 - (a) if he has a qualifying interest in land,
 - (b) if the interest is acquired compulsorily, and
 - (c) to the extent that he is not entitled to a home loss payment in respect of any part of the interest.
- (2) A person to whom this Article applies is entitled to payment of whichever is the lower of the following amounts—
 - (a) 7.5% of the value of his interest;
 - (b) £75,000.
- (3) A payment under this Article must be made by the acquiring authority.
- (4) An interest in land is a qualifying interest if it is a freehold interest (legal or equitable) or an interest under a tenancy and (in either case) it subsists for a period of not less than one year ending with whichever is the earlier of—
 - (a) the date on which the vesting order is operative;

(b) the date on which compensation is agreed between the person and the acquiring authority.

(5) Subject to paragraphs (6) and (7), the value of an interest is its value for the purpose of deciding the amount of compensation payable in respect of the acquisition.

(6) If an interest consists partly of a dwelling in respect of which the person is entitled to a home loss payment the value of the interest is the value of the whole interest less the value of so much of the interest as is represented by the dwelling.

(7) If rule (5) in Article 6(1) of the Land Compensation (Northern Ireland) Order 1982 (equivalent reinstatement) applies for the purpose of assessing the amount of compensation the value of the interest is nil.”.