
STATUTORY INSTRUMENTS

1973 No. 1896

Land Acquisition and Compensation (Northern Ireland) Order 1973

PART II

COMPENSATION FOR DEPRECIATION CAUSED BY USE OF PUBLIC WORKS

Interpretation of Part II

21.—(1) In this Part— the appropriate road authority means—

- (a) except where sub-paragraph (b) applies, the road authority who constructed the road to which the claim relates;
- (b) if and so far as the claim relates to depreciation that would not have been caused but for alterations to the carriageway of a road, the road authority who carried out the alterations;

“claim” means a claim under this Part and “the claimant” means the person making such a claim;

“the claim period” has the meaning assigned to it by Article 6(2) but subject to Article 16(1) and paragraph (3);

“commencement date”^{F1} means the date on which this Part comes into operation;

“public road” has the same meaning as in the Private Streets Act (Northern Ireland) 1964^{F2};

“public works” and “responsible authority” have the meanings assigned to them by Article 4;

“the relevant date” has the meanings assigned to it by Articles 4(9) and 12(2).

(2) For the purposes of Articles 5(1), 14(1) and 16(2) an interest acquired or disposed of, or a tenancy granted, pursuant to a contract shall be treated as acquired, disposed of or granted when the contract was made.

(3) In the application of this Part to a road which has not always since 17th October 1969 been a public road—

- (a) references to its being open to public traffic shall be construed as references to its being so open whether or not as a public road;
- (b) for references to the road authority who constructed it there shall be substituted references to the road authority for the road;

and no claim shall be made if the relevant date falls at a time when the road was not a public road and the road does not become a public road within three years of that date but, if it does, the claim period shall be treated as continuing until the end of one year from the date on which it becomes a public road if, apart from this provision, that period would end earlier.

F1 i.e. 13.12.1973

F2 1980 NI 12

Changes to legislation:

There are currently no known outstanding effects for the Land Acquisition and Compensation (Northern Ireland) Order 1973, Section 21.