

## SCHEDULES

### SCHEDULE 14

#### SUPPLEMENTAL PROVISIONS WITH RESPECT TO POWERS OF ENTRY

5.—(1) Where an inspector exercises any power conferred by regulation 30(3)(a) or (b) or (4), it is the duty of the responsible authority to make full compensation to any person who has sustained loss or damage by reason of—

- (a) the exercise by the inspector of that power; or
- (b) the performance of, or failure of the inspector to perform, the duty imposed by paragraph 4.

(2) Compensation shall not be payable by virtue of sub-paragraph (1) in respect of any loss or damage if the loss or damage—

- (a) is attributable to the default of the person who sustained it; or
- (b) is loss or damage in respect of which compensation is payable under any other provision of the pollution control statutory provisions.

(3) Any dispute as to a person's entitlement to compensation under this paragraph, or as to the amount of any such compensation, shall be referred to and determined by the Lands Tribunal, and Articles 4 and 5 of the Land Compensation (Northern Ireland) Order 1982(1) (procedure on reference to the Lands Tribunal and costs) applies to any such determination.