



Railway and Canal Traffic (Amendment) Act (Northern Ireland) 1930

1930 CHAPTER 10

3 Provisions as to compensation.

Compensation shall be made, under and subject to the following provisions of this section, to all persons entitled to compensation by reason of the abandonment of an unnecessary canal under the authority of a warrant in pursuance of the principal enactment, that is to say:—

- (a) The amount of compensation payable to any such person shall in default of agreement be assessed by an arbitrator to be agreed upon by the parties, or in default of such agreement to be appointed by the Ministry of Commerce;
- (b) The expenses of the arbitration shall be defrayed by the proprietors of the canal, except so far as the Ministry of Commerce may otherwise direct;
- (c) The costs of the proprietors of the canal and the claimants in the arbitration other than an arbitration in which the arbitrator has entered upon his duties before the passing of this Act, shall be in the discretion of the arbitrator, who may direct to and by whom and in what manner those costs or any part thereof shall be paid, and the arbitrator may himself tax the amount of costs ordered to be paid, or may direct in what manner they are to be taxed;
- (d) The arbitrator shall have power, with the consent of the proprietors of the canal, and of any person entitled to compensation, to award that the payment of the whole or part of the compensation to which that person is entitled shall be discharged by the conveyance to him of any land held by the proprietors for the purposes of the canal;
- (e) The Ministry of Commerce may make regulations under sub-section (8) of the principal enactment for the purpose of giving effect to the provisions of this section.

Changes to legislation:

There are currently no known outstanding effects for the Railway and Canal Traffic (Amendment) Act (Northern Ireland) 1930, Section 3.