



Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955

1955 CHAPTER 15

9 Matters to be regarded in assessing compensation.

When assessing compensation, [^{F1} the Lands Tribunal] shall in every case have regard to any benefit to any property (whether such property is or is not the property in respect of which such compensation is claimed) of the person claiming such compensation which is occasioned by or may reasonably be expected to arise from the carrying into effect or operation of a scheme and, in particular, [^{F1} the Lands Tribunal]—

- (a) shall, in the case of a claim in respect of the navigation of any waterway, have regard to the extent to which that waterway was used by the person claiming for purposes of navigation during the ten years immediately preceding the relevant date, or during such longer period as the Ministry may in any case agree; and
- (b) shall, in the case of a claim in respect of water rights, have regard to any alternative water supply provided by the Ministry; and
- (c) shall, in the case of a claim in respect of water or a watercourse providing power for a mill or other industrial concern or for domestic purposes have regard to the extent to which the power so provided was used during the ten years immediately preceding the relevant date, and shall also have regard to any alternative source of power provided by the Ministry or otherwise available to the claimant.

F1 1964 c. 29 (NI)

Modifications etc. (not altering text)

C1 S. 9: transfer of functions (8.5.2016 for specified purposes) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 3 Pt. 2** (with art. 9(2))

Changes to legislation:

There are currently no known outstanding effects for the Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955, Section 9.