

*Status: Point in time view as at 01/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Paragraph 12. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### DEVELOPMENT NOT CONSTITUTING NEW DEVELOPMENT

- 12 (1) In this Schedule “at a material date” means at either of the following dates—
- (a) the date of the passing of this Act; and
  - (b) (subject to sub-paragraphs (2) and (3)) the date by reference to which this Schedule falls to be applied to the particular case in question.
- (2) Sub-paragraph (1)( *b*) shall not apply in relation to any use of land in respect of which before the date mentioned in that sub-paragraph, the planning authority have made an order under section 4(1)( *b*) of the Act of 1944 prohibiting that use [<sup>F1</sup> or an enforcement notice under [<sup>F2</sup>section 138 or 139 of the Planning Act] served before that date has become or becomes effective].
- (3) Sub-paragraph (1)( *b*) shall not apply in relation to any buildings or works in respect of which, whether before or after the date mentioned in that sub-paragraph, the planning authority [<sup>F1</sup> or the Ministry] have become, or become, entitled, under a notice served under the Schedule to the Act of 1944 [<sup>F1</sup> or under the [<sup>F3</sup>Planning Act]] before that date, to take any action under section 4(1)( *a*) of that Act in accordance with that section and that Schedule [<sup>F1</sup> or [<sup>F4</sup>that Act]].

**F1** 1972 NI 17

**F2** Words in Sch. 1 para. 12(2) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 4 para. 8\(b\)](#) (with s. 211); S.R. 2015/49, arts. 2, 3, [Sch. 1](#) (with [Sch. 2](#)) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

**F3** Words in Sch. 1 para. 12(3) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 4 para. 8\(c\)\(i\)](#) (with s. 211); S.R. 2015/49, arts. 2, 3, [Sch. 1](#) (with [Sch. 2](#)) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

**F4** Words in Sch. 1 para. 12(3) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 4 para. 8\(c\)\(ii\)](#) (with s. 211); S.R. 2015/49, arts. 2, 3, [Sch. 1](#) (with [Sch. 2](#)) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

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