
Changes to legislation: There are currently no known outstanding effects for the Mineral Development Act (Northern Ireland) 1969, Paragraph 11. (See end of Document for details)

SCHEDULES

SCHEDULE 2 ^{F1}

MINING FACILITIES ORDERS

F1 1964 c.28 (NI)

SPECIAL POWERS OF THE LANDS TRIBUNAL

- 11 (1) The Lands Tribunal shall have the same power of apportioning any rent-service, rent-charge, chief or other rent, payment or incumbrance as two justices have under the Lands Clauses Consolidation Act 1845 .
- (2) Subject to the provisions of paragraph 14, the amount of compensation to be paid in pursuance of section 124 of the Lands Clauses Consolidation Act 1845 in respect of any estate in any of the scheduled lands which the Ministry has through mistake or inadvertence failed or omitted duly to make compensation for, shall be awarded by the Lands Tribunal and paid in like manner, as nearly as may be, as the same would have been awarded and paid if the claim of such estate had been delivered to the Lands Tribunal before the day fixed for the delivery of statements of claim.
- (3) [^{F1}Article 8(1) of the Land Compensation (Northern Ireland) Order 1982], in its application for the purpose of estimating the compensation to be paid under this Schedule in respect of the compulsory acquisition of land or ancillary rights, shall have effect as if after the words “powers conferred on the acquiring authority by” there were inserted the words “ , or on any other person by that authority under, ” .
- (4) In determining the amount of any disputed compensation, the Lands Tribunal shall have regard to the extent to which any remaining and contiguous lands, belonging to the same proprietor, may be benefited by any proposed work or any proposed use of land for which the land, or any ancillary right, to which the mining facilities order relates is acquired by the Ministry.
- (5) In determining the amount of any disputed compensation, the Lands Tribunal shall not award any sum of money for or in respect of any improvement or alteration made, or building erected, after the date of the giving by the Ministry of notice of its intention to acquire the land or ancillary rights compulsorily if, in the opinion of the Lands Tribunal, the improvement, alteration, or building in respect of which the claim is made was made or erected with a view to obtaining or increasing compensation; nor, in respect of any estate created after the said date in any land to which the order relates, shall any sum or money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition of the land or any ancillary rights in relation thereto.

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F1 1982 NI 9

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