



# Local Government Act (Northern Ireland) 1934

## 1934 CHAPTER 22

*Part I (ss. 1#10) rep. by 1946 c. 8 (NI); 1946 c. 19 (NI); 1949 c. 21 (NI); SLR (NI) 1953; SLR (NI) 1954; 1962 c. 12 (NI); 1962 c. 14 (NI); 1964 c. 14 (NI); 1972 c. 9 (NI); 1972 NI 16; SI 1973/2095*

### PART II

#### GENERAL PROVISIONS AS TO LOCAL GOVERNMENT

*Ss. 11#21 rep. by 1946 c. 8 (NI); 1948 c. 11 (NI); 1948 c. 28 (NI); SLR (NI) 1952; SLR (NI) 1954; 1954 c. 9 (NI); 1955 c. 13 (NI); 1964 c. 14 (NI); 1972 c. 9 (NI); 1972 NI 16; SRO (NI) 1973/285; 1980 NI 11*

#### **22 Vesting orders for compulsory acquisition of land.**

*Subs. (1) rep. by 1972 c. 9 (NI)*

<sup>F1</sup>(2) The following provisions of this sub-section shall have effect with respect to the validity of vesting orders made under this section and the date on which such a vesting order is to come into operation, that is to say:—

- (a) So soon as may be after a vesting order has been made by the Ministry of Home Affairs, the local authority shall publish in a newspaper circulating in the locality in which the property is proposed to be acquired a notice in a form prescribed by the said Ministry, stating that the vesting order has been made and naming a place where a copy of the vesting order and of any map or plan referred to therein may be seen at all reasonable hours, and shall serve a like notice on every person who, having given notice to the said Ministry of his objection to the application for the vesting order, appeared at a local inquiry in support of his objection;
- (b) If any person aggrieved by a vesting order desires to question its validity on the ground that it is not within the powers of this section, or that any requirement

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*Changes to legislation: There are currently no known outstanding effects for the  
 Local Government Act (Northern Ireland) 1934. (See end of Document for details)*

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of this section or of any order or regulation made thereunder has not been complied with, he may within [<sup>F2</sup> three weeks] after the publication of the notice of the making of the vesting order make an application for the purpose to the High Court, and where any such application is duly made the Court—

- (i) may by interim order suspend the operation of the vesting order either generally or in so far as it affects any property of the applicant until the final determination of the proceedings; and
  - (ii) if satisfied upon the hearing of the application that the vesting order is not within the powers of this section, or that the interests of the applicant have been substantially prejudiced by any requirement of this section or of any order or regulation made thereunder not having been complied with, may quash the vesting order either generally or in so far as it affects any property of the applicant;
- (c) Subject to the provisions of the last preceding paragraph, a vesting order or the making of a vesting order shall not be questioned by prohibition or certiorari or in any legal proceedings whatsoever and a vesting order shall become operative at the expiration of [<sup>F2</sup> three weeks] from the date on which notice of its making is published in accordance with the provisions of paragraph (a) of this sub-section;
- (d) So soon as may be after a vesting order has become operative, the local authority shall serve ...<sup>F3</sup> on every person on whom a notice was served by them of their intention to apply to the Ministry of Home Affairs for the vesting order [<sup>F4</sup> either a copy of the vesting order or a notice in a form prescribed by the said Ministry stating that the vesting order has become operative and naming a place where a copy of the vesting order and of any map or plan referred to therein may be seen at all reasonable hours and may be obtained free of charge upon written request made by or on behalf of any person having an estate or interest in the lands vested thereby;]

*Para. (e) rep. by 1962 c. 30*

*Subs. (3) rep. by 1948 c. 28 (NI); SLR (NI) 1954; 1972 c. 9 (NI); subs. (4)(5) rep. by 1972 c. 9 (NI)*

<b>F1</b>	1972 c.9 (NI)
<b>F2</b>	1946 c.4 (NI)
<b>F3</b>	1962 c.12 (NI)
<b>F4</b>	1962 c.12 (NI)

*Ss. 22A#24 rep. by SLR (NI) 1952; 1972 c. 9 (NI)*

*S. 25 rep. with saving by 1950 c. 10 (NI)*

*Ss. 26, 26A rep. by SLR (NI) 1952; SLR (NI) 1954; 1962 c. 12 (NI); 1972 c. 9 (NI)*

*Part III (ss. 27#30) rep. by SLR (NI) 1953; 1959 c. 25 (NI); 1964 c. 27 (NI); 1969 c. 13 (NI); 1972 c. 9 (NI)*

*S. 31 rep. with saving by 1985 NI 15*

*Ss. 32#35 rep. by 1946 c. 6 (NI); 1948 c. 3 (NI); 1955 c. 13 (NI)*

*Part IV (ss. 36#39) rep. by 1937 c. 20 (NI); 1948 c. 3 (NI); 1948 c. 13 (NI); 1949 c. 1 (NI); 1950 c. 5 (NI)*

*Part V (ss. 40#44A) rep. by SLR (NI) 1953; SLR (NI) 1954; 1968 c. 10 (NI); 1972 c. 9 (NI); 1981 NI 14*

## PART VI

### SUPPLEMENTAL

#### **45 Interpretation.**

- (1) Unless the context otherwise requires, expressions to which meanings are assigned by the Local Government (Ireland) Act, 1898, or any Order in Council in force under that Act, have, where used in this Act, the same respective meanings.

*Subs. (2) rep. by 1954 c. 33 (NI)*

*Ss. 46, 47 rep. by SLR (NI) 1952*

#### **48 Short title, construction and citation.**

- (1) This Act may be cited as the Local Government Act (Northern Ireland), 1934.
- (2) This Act shall be construed as one with the Local Government Acts (Northern Ireland), 1898 to 1929, and those Acts and this Act may be cited together as the Local Government Acts (Northern Ireland), 1898 to 1934.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1934.