



## 2008 CHAPTER 8

### *The Northern Ireland Library Authority*

#### **Powers of Authority in relation to land**

**5.—**(1) The Authority may, with the approval of the Department, acquire, hold and dispose of land for the purpose of carrying out its functions.

(2) The power of the Authority to acquire land includes power to acquire it compulsorily in accordance with subsections (3) and (4); and the power of acquiring land compulsorily under this subsection includes power to acquire, by the creation of a new right, an easement or other right over land.

(3) Where the Authority proposes to acquire any land compulsorily, it may apply to the Department for an order (a “vesting order”) vesting that land in the Authority and, subject to subsections (4) and (5), the Department shall have power to make such an order.

(4) Schedule 6 to the Local Government Act (Northern Ireland) 1972 (c. 9) shall apply for the purposes of the acquisition of land by means of a vesting order made under subsection (3) as it applies to the acquisition of land by means of a vesting order made under that Act, subject to the following modifications—

- (a) for any reference to the council there shall be substituted a reference to the Authority;
- (b) for any reference to the Department concerned there shall be substituted a reference to the Department;
- (c) for any reference to that Act there shall be substituted a reference to this Act;
- (d) in paragraph 6(2) for the words from “the fund” onwards there shall be substituted “ funds of the Authority (in this Schedule referred to as “the

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**Changes to legislation:** There are currently no known outstanding effects for the Libraries Act (Northern Ireland) 2008, Section 5. (See end of Document for details)

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compensation fund”), and shall be discharged by payments made by the Authority ”; and

- (e) in paragraph 12(2) for “the clerk of the council” there shall be substituted “ such person as may be designated for the purposes of this Schedule by the Authority ”.

(5) Nothing in this section authorises the acquisition, without the consent of the Department of the Environment, of any land on or in which there is to the knowledge of the Department any historic monument or archaeological object within the meaning of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 (NI 9).

(6) The powers to make a vesting order under this section may be exercised over land—

- (a) which is the property of any body established by or under any statutory provision which has power under any statutory provision to acquire land compulsorily; or
- (b) which is declared by or under any statutory provision to be inalienable;

but a vesting order shall not be made in relation to any such land, where representations objecting to the proposal for making the order have been duly made by the owner of the land and have not been withdrawn, unless the proposal has been approved by a resolution of the Assembly.

**Changes to legislation:**

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