

SCHEDULES

SCHEDULE 2

Article 13(3).

MODIFICATIONS OF SCHEDULE 6 TO THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972 FOR THE PURPOSES OF ARTICLE 13

1. References to the Ministry or to the council shall be construed as references to the Department within the meaning of this Order.

2. References to Schedule 6 to the Local Government Act (Northern Ireland) 1972 shall be construed as references to that Schedule as modified by this Schedule.

3. Omit paragraph 1.

4. For paragraph 2 substitute—

“2.—(1) The Department, where it proposes to acquire land compulsorily under Article 13 of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995, shall give public notice of its intention to do so.

(2) Any such notice—

(a) shall state clearly the nature of the proposal and shall specify the land to which the proposal relates;

(b) shall state the time (not being less than 21 days from the last publication of the notice) within which objections to the proposal may be presented to the Department; and

(c) shall be published in two successive weeks in one or more than one newspaper circulating in the locality in which the land is situated;

and a document containing the substance and effect of that notice shall be served by post on every person appearing to the Department to have an estate in the land, and there shall be attached to that document a map or plan sufficient to enable the person so served to identify the land concerned.”.

5. In paragraph 3—

(a) in sub-paragraph (1)(b) for the words from “unless no representations” to “or vexatious nature”, substitute “if it appears to the Department necessary to do so” and in head (ii) of that sub-paragraph for the word “refuse” substitute the words “decide not”; and

(b) in sub-paragraph (2) omit the words “the council and” and “or refusing”.

6. In paragraph 4 omit the words from “and may provide” onwards.

7. In paragraph 5—

(a) in sub-paragraph (1)(a) omit the words “in the prescribed form and manner” and for the words from “, having given notice” to the end, substitute the words “has given notice to the Department of his objection to the making of the vesting order”;

(b) in sub-paragraph (1)(b) the two references to the said Act of 1972 shall be construed as references to this Order;

(c) in sub-paragraph (1)(d) omit the words “in the prescribed form”;

Status: This is the original version (as it was originally made).

- (d) in sub-paragraph (2) for the words “as may be prescribed” substitute the words “as the Department considers fit”.
- 8.** In paragraph 6(2) for the words “fund out of which the expenses of the council in acquiring the land are to be defrayed” substitute the words “Consolidated Fund” and for the words “out of the compensation fund” substitute the words “made by the Department”.
- 9.** In paragraph 11(3) omit the words “in the prescribed form”.
- 10.** In paragraph 12—
 - (a) in sub-paragraph (1) omit the words “such” and “as may be prescribed”;
 - (b) in sub-paragraph (2) for the words from “clerk” to “directs” substitute the words “Department as correct, and publish”.
- 11.** In paragraph 14(1) omit the words “in the prescribed form”.
- 12.** In paragraph 15(1) for the words “in the prescribed form” substitute the words “in such form as may be approved by the Department”.
- 13.** Omit paragraph 19.
- 14.** Omit paragraph 20(2).