

15. If a question arises as to the interpretation of this Minute the decision of the Minister thereon shall be final.

16. The Minister may at any time revoke, alter or amend this Minute in manner provided in the Act.

17. This Minute may be cited as the Ministry of Education (Northern Ireland) Advisory Council Minute, 1925, and shall take effect on and from the first day of April, 1925.

Education Authorities—Acquisition of Land.

MADE BY THE MINISTRY OF EDUCATION FOR NORTHERN IRELAND
UNDER THE PROVISIONS OF SECTION 99 (1) OF THE EDUCATION
ACT (NORTHERN IRELAND), 1923, FOR GIVING EFFECT TO
SECTION 81 (3) OF THE ACT.

1925. No. 32.

Whereas by Sub-section (3) of Section 81 of the Education Act (Northern Ireland), 1923, (hereinafter referred to as "the Act") it is enacted that an Education Authority may be authorised to purchase land compulsorily for the purpose of any of its powers and duties under the Act by means of an Order submitted to and confirmed by the Ministry of Education for Northern Ireland (hereinafter referred to as "the Ministry") in accordance with the provisions contained in the Fifth Schedule to the Act: Provided that no such Order shall be made for the compulsory purchase of the land or premises of any school existing at the appointed day.

And whereas Article 1 of the Fifth Schedule to the Act enacts that the Order submitted by a local Education Authority to and confirmed by the Ministry shall authorise the local Education Authority to put in force, as respects the lands specified in the Order, the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

And whereas by Article 3 of the said Schedule it is enacted that the Order shall be in the prescribed form and shall contain such provisions as the Ministry may prescribe for bringing the Order into effect, and shall incorporate, subject to the necessary adaptations, the Lands Clauses Acts as defined in the said Schedule.

And whereas by Article 4 of the said Schedule it is enacted that on submission of the Order to the Ministry notice of the Order shall be published by the Education Authority in the prescribed manner and such notice shall be given both in the locality in which the land is proposed to be acquired and to the owners, lessees and occupiers of that land as may be prescribed.

And whereas by Article 6 of the said Schedule it is enacted that on confirming the Order the Ministry shall forthwith publish notice of the confirmation, and if within one month after such publication, a petition against the Order is received by the Ministry signed by not less than two persons interested in the land then (unless the petition is withdrawn within the prescribed period) the Order shall be provisional only and shall not have effect unless confirmed by Parliament.

And whereas by Section 8 of the said Schedule it is enacted that in construing, for the purposes of the Schedule or any Order made thereunder, any enactment incorporated with the Order, the Act together with the Order when duly confirmed shall be deemed to be the special Act or the confirming Act as the case requires: the due confirmation of the Order shall be deemed to be the passing of the confirming Act: the Ministry shall be deemed to be the confirming authority; and the Education Authority shall be deemed to be the promoters of the undertaking, company, local authority or district council as the case requires.

And whereas by Article 9 of the said Schedule it is enacted that in the Schedule the expression "prescribed" means prescribed by Regulations of the Ministry, and the expression "Lands Clauses Acts" means the Lands Clauses Acts as amended by the provisions contained in the Second Schedule to the Housing of the Working Classes Act, 1890.

Now therefore the Ministry in exercise of the powers vested in it as aforesaid and of all other powers in this behalf enabling the Ministry hereby orders, directs and prescribes as follows, that is to say:—

1.—This Order may be cited as the "Education Authorities (Acquisition of Land) Order, 1925."

2.—The Order of the Ministry under Article 1 of the Fifth Schedule to the Act authorising a local Education Authority to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of Land otherwise than by agreement shall be according to the Form set out in the First Schedule to this Order, or to the like effect.

3.—The manner in which notice of the Order submitted to the Ministry shall be published and given as required by Article 4 of the Fifth Schedule to the Act shall be as follows:

- (1) The Education Authority shall forthwith on submission of the Order to the Ministry publish notice of the submission thereof once at least in each of two successive weeks in one or more of the newspapers circulating in the locality in which the land proposed to be acquired is situate.

- (2) The notice shall be given to the owners, lessees and occupiers of the said land so far as they can reasonably be ascertained :—

(a) by delivery of the same personally to the person to whom it is required to be given or if such person is absent abroad or cannot be found to his agent or if no agent can be found by leaving the same on the premises ; or

(b) by leaving the same at the usual or last known place of abode of such person as aforesaid or of his known agent ; or

(c) by forwarding the same by post in a prepaid and registered letter addressed to the usual or last known place of abode of such person.

- (3) The Notice shall be given according to the Form set out in the Second Schedule to this Order or to the like effect, and, in the case of the Notice which is given to the owners, lessees and occupiers of such land, shall include a map or plan sufficient to enable the portion of land proposed to be acquired to be identified.

4.—The Order of the Ministry confirming the Order submitted to it by the Education Authority shall be according to the Form set out in the Third Schedule to this Order, or to the like effect.

5.—The Notice required to be given under Article 6 of the Fifth Schedule to the Act of the confirmation of the Order shall be according to the Form set out in the Fourth Schedule to this Order, or to the like effect, and shall be published in manner directed by paragraph 3 (1) of this Order.

Given under the Seal of the Ministry of Education
for Northern Ireland this 12th day of March, 1925.

(Signed)

L. M'Quibban,
Secretary.

(L.S.)

FIRST SCHEDULE TO THE ORDER OF 12TH DAY OF MARCH, 1925.

EDUCATION ACT (NORTHERN IRELAND), 1923.

EDUCATION AUTHORITY FOR

WHEREAS by Sub-section (3) of Section 31 of the Education Act (Northern Ireland), 1923, (hereinafter referred to as "the Act") it is enacted that when any land is required by an Education Authority for the purpose of any of its powers and duties under the Act the Ministry of Education for Northern Ireland (hereinafter referred to as "the Ministry") may by an Order submitted to and confirmed by the Ministry authorise the Education Authority to acquire such land compulsorily in accordance with the provisions contained in the Fifth Schedule to the Act.

AND WHEREAS in Article 1 of the Fifth Schedule to the Act it is enacted that where an Education Authority proposes to purchase land compulsorily under the Act it may submit to the Ministry an Order authorising the Education Authority to put in force, as respects the land specified in the Order, the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

AND WHEREAS the Education Authority for requires the land specified in the Schedule hereto for the erection of a schoolhouse thereon or for other purposes in connection with its powers and duties under the Act, and has submitted to the Ministry the following Order for the sanction of the Ministry to purchase compulsorily the said land.

NOW THEREFORE the Ministry in exercise of the powers vested in it by Sub-section (3) of Section 81 of the Act and of all other powers in this behalf enabling the Ministry hereby orders as follows:—

1.—The provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement are hereby put in force as respects the land specified in the Schedule hereto.

2.—The Lands Clauses Acts are hereby incorporated in this Order.

3.—In this Order the expression Lands Clauses Acts shall have the same meaning as in the Act and in the Fifth Schedule thereto.

SCHEDULE ABOVE REFERRED TO.

District Electoral Division.	Number of Ordnance Map and County in which the land is situate.	Townland or Town and Street in which the land is situate.	Name of the Owner and occupier of the land.	Reference No. as shown on Ordnance map deposited in the Ministry.

Given under the Seal of the Ministry of Education for Northern Ireland this.....day of.....192.....

Secretary.

SECOND SCHEDULE TO THE ORDER OF 12TH DAY OF MARCH, 1925.

NOTICE OF SUBMISSION OF ORDER TO MINISTRY OF EDUCATION FOR NORTHERN IRELAND.

EDUCATION ACT (NORTHERN IRELAND), 1923.

EDUCATION AUTHORITY FOR

Notice is hereby given by the Education Authority for pursuant to Article 4 of the Fifth Schedule to the Education Act(Northern Ireland⁽¹⁾), 1923, that it has submitted to the Ministry of Education for Northern Ireland an

Order putting in force as respects the land specified in the Schedule hereto the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

And Notice is hereby further given that on the expiration of one month from the publication of this Notice the Ministry of Education for Northern Ireland after considering all objections to the Order which may have been presented to the Ministry by any persons interested in the land may confirm the Order either without modifications or subject to such modifications as the Ministry thinks fit.

Dated thisday of.....192.....

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Secretary to Education Authority.

SCHEDULE ABOVE REFERRED TO.

District Electoral Division.	Number of Ordnance Map and County in which the land is situate.	Townland or Town and Street in which the land is situate.	Name of the Owner and the occupier of the land.	Reference No. as shown on the Ordnance map deposited in the Ministry.

THIRD SCHEDULE TO THE ORDER OF 12TH DAY OF MARCH, 1925.

MINISTRY OF EDUCATION FOR NORTHERN IRELAND.

EDUCATION ACT (NORTHERN IRELAND), 1923.

WHEREAS in pursuance of Sub-section (3) of Section 81 of the Education Act (Northern Ireland), 1923, (hereinafter referred to as "the Act") the Education Authority for has submitted to the Ministry of Education for Northern Ireland (hereinafter referred to as "the Ministry") an Order, which is set out in the Schedule hereto, putting in force as respects the land specified therein the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

AND WHEREAS notice of the said Order has been published by the said Education Authority in the prescribed manner and given both in the locality in which the land is proposed to be acquired and to the owners, lessees and occupiers of that land as prescribed.

AND WHEREAS by Article 5 of the Fifth Schedule to the Act it is enacted that on the expiration of one month from the publication of the Notice of the Order the Ministry, after considering all objections to the Order which may have been presented to the Ministry by any persons interested in the land, may confirm the Order either without modifications or subject to such modifications as the Ministry thinks fit.

AND WHEREAS more than one month has now expired since the publication of the Notice of the said Order and the Ministry has considered all the objections to the said Order that have been presented to the Ministry (or—and no objections have been presented to the Ministry).

NOW THEREFORE the Ministry in exercise of the powers vested in it by Sub-section (3) of Section 81 of the Act and the Fifth Schedule thereto, and of all other powers in this behalf enabling the Ministry hereby by this Order confirms the said Order set out in the Schedule hereto without modification (or—subject to the following modifications that is to say—).

Given under the Seal of the Ministry of Education for Northern Ireland
 this.....day of.....192.....

Secretary.

Schedule to the Order of day of 192.....
 (here set out Order).

FOURTH SCHEDULE TO THE ORDER OF 12TH DAY OF MARCH, 1925.

NOTICE OF CONFIRMATION OF ORDER.

THE MINISTRY OF EDUCATION FOR NORTHERN IRELAND.

EDUCATION ACT (NORTHERN IRELAND), 1923.

Notice is hereby given by the Ministry of Education for Northern Ireland pursuant to Article 6 of the Fifth Schedule to the Education Act (Northern Ireland), 1923, that by Order dated the day of 192 , the Ministry has confirmed the Order submitted to it by the Education Authority for putting in force as respects the land specified in the Schedule hereto the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement, without modification (or—but subject to the following modifications, that is to say).

Dated this day of 192 .
 Secretary.

SCHEDULE ABOVE REFERRED TO.

District Electoral Division.	Number of Ordnance Map and County in which the land is situate.	Townland or Town and Street in which the land is situate.	Name of the Owner and occupier of the land.	Reference No. as shown on the Ordnance map deposited in the Ministry.