
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

FIFTH SCHEDULE

ADJUSTMENT OF CLAIM HOLDINGS

PART VI

Supplementary provisions

- 26 Where in accordance with any of the provisions of this Schedule a part of the benefit of an established claim constituted a separate claim holding, the interest in land to which that claim holding related—
- (a) if the established claim related to the fee simple of the claim area, shall be taken to have been the fee simple of the area of the claim holding ;
 - (b) if the established claim related to a leasehold interest, shall be taken to have been that leasehold interest in so far as it subsisted in the area of the claim holding.
- 27 Where in accordance with any of the provisions of this Schedule a claim holding (in this paragraph referred to as “the parent holding ”) is to be treated as divided into two or more claim holdings, a person who was the holder of one of those holdings shall be treated as having been the holder thereof at any time when he was the holder of the parent holding.
- 28 Expressions used in this Schedule and in Part VI of this Act have the same meanings in this Schedule as in that Part of this Act.
- 29 In this Schedule “the holder ”, in relation to a claim holding, means the person for the time being entitled to the holding, or, in the case of a holding subject to a mortgage made otherwise than by way of assignment, means the person who would for the time being have been entitled to the holding if it had not been mortgaged, and “the time of completion ” means the time when, in accordance with section ninety-two of this Act, the adjustment of claim holdings is deemed to have been completed.