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SCHEDULES

FOURTH SCHEDULE

FURTHER PROVISIONS WITH RESPECT TO ORDERS PROVIDING FOR EXPEDITED COMPLETION

Rentcharges and leases affecting relevant land and other land

- 10 (1) Where land consisting or forming part of the relevant land is, together with other land not comprised in the relevant land, charged with a rentcharge, such portion of the rentcharge as may be apportioned under section one hundred and sixteen of the Act of 1845 to the first-mentioned land shall, subject to sub-paragraph (3) of this paragraph, be treated as having been extinguished by virtue of subsection (6) of section seventy-five of this Act on the vesting of that land in the acquiring authority under that subsection.
- (2) Where by virtue of the preceding sub-paragraph a portion of a rentcharge is treated as having been extinguished, sections one hundred and fifteen to one hundred and eighteen of the Act of 1845 shall have effect as if the extinguishment had taken place under section one hundred and seventeen of that Act.
- (3) If, in the circumstances described in sub-paragraph (1) of this paragraph, the person entitled to the rentcharge and the owner of the land subject thereto enter into an agreement to that effect, the said sections one hundred and fifteen to one hundred and eighteen shall have effect as if, at the time of the vesting of the relevant land in the acquiring authority under subsection (6) of section seventy-five of this Act, the person entitled to the rentcharge had released that land from the rentcharge on the condition mentioned in section one hundred and sixteen of the Act of 1845; and, in that case, no part of the rentcharge shall be treated as having been extinguished by virtue of the said subsection (6) so far as regards the remaining part of the land charged therewith.
- (4) In this paragraph references to a rentcharge include references to any such rent service, chief or other rent, or other payment or incumbrance, as is mentioned in the words introductory to the said sections one hundred and fifteen to one hundred and eighteen.
- 11 Where land consisting or forming part of the relevant land is, together with other land not comprised in the relevant land, comprised in a lease for a term of years unexpired, section one hundred and nineteen of the Act of 1845 shall have effect in relation thereto with the substitution, for references therein to the time of the apportionment of rent therein mentioned, of references to the time of the vesting in the acquiring authority of the leasehold interest in the first-mentioned land under subsection (6) of section seventy-five of this Act.