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SCHEDULES

FOURTH SCHEDULE

FURTHER PROVISIONS WITH RESPECT TO ORDERS PROVIDING FOR EXPEDITED COMPLETION

Special provisions with respect to parts of buildings, etc.

- 6 (1) Where a part only of a house, building or manufactory, or of a park or garden belonging to a house, is comprised in the relevant land, then, if notice in that behalf is given to the acquiring authority in accordance with the provisions of the next following sub-paragraph, no notice to treat shall be deemed by virtue of subsection (2) of section seventy-five of this Act to have been served in respect of any interest in the said part; and, as from the giving of the first-mentioned notice, the order shall have effect in relation to that part as if it had not been comprised in the relevant land.
- (2) A notice under the preceding sub-paragraph in respect of any premises consisting of part of a house, building, manufactory, park or garden may be given to the acquiring authority by any person having in those premises an interest in respect of which, but for that sub-paragraph, a notice to treat would be deemed to have been served, but shall not have effect if given before the order has come into operation or after the acquiring authority have executed in respect of those premises a declaration under subsection (3) of the said section seventy-five.
- (3) Where by virtue of subsection (2) of the said section seventy-five a notice to treat is deemed to have been served in respect of any interest, section ninety-two of the Act of 1845 (which provides that a person shall not be compelled to sell part only of a building if he is prepared to sell the whole) shall, in relation to the acquisition of that interest under the order, be excepted from the incorporation (by virtue of paragraph 1 of the Second Schedule to the Act of 1946) of the Act of 1845 with section sixty-eight of this Act.
- 7 Paragraph 4 of the Second Schedule to the Act of 1946 (which makes special provision, in substitution for section ninety-two of the Act of 1845, with respect to the compulsory acquisition of parts of buildings) shall not have effect in relation to the order.