

SCHEDULES

SECOND SCHEDULE

COMPULSORY ACQUISITION OF CERTAIN PROPERTY

PART I

PROCEDURE FOR ACQUISITION

- 1 Where the Minister proposes to acquire any articles under section eight of this Act, he shall serve upon the person appearing to him to be the owner thereof a notice in writing (hereinafter in this Act referred to as a "notice of acquisition") specifying the articles to be acquired and requiring that person to make to the Minister within a time specified in the notice a written declaration containing such particulars as may be so specified as to the ownership of those articles and as to any agreement or charge by virtue of which any other person has an interest in any of those articles.
- 2 Upon the service of a notice of acquisition under the last foregoing paragraph no article to which the notice relates shall be removed from the premises in which the article is situated at the time of the service of the notice without the consent of such person as is specified in the notice; and if any person knowingly removes, or causes or permits to be removed, any article in contravention of this paragraph, he shall be guilty of an offence under this Act.
- 3 If it appears to the Minister in consequence of any written declaration made to him in pursuance of paragraph I of this section or otherwise that any person other than the person on whom the notice of acquisition was served is the owner of, or has any interest in, the articles to which the notice relates, he shall serve a copy of the notice of acquisition on that other person.
- 4 A notice of acquisition shall contain a statement to the effect that an objection may be made thereto within such time (not being less than twenty-eight days) and in such manner as may be specified in the notice, and if any such objection is duly made and not withdrawn, the Minister shall afford an opportunity to the person making the objection of appearing before and being heard by a person appointed by the Minister for the purpose, and, if the person making the objection avails himself of that opportunity, the Minister may afford to any other persons to whom it appears to him expedient to afford it an opportunity of being heard on the same occasion.
- 5 If any such objection is duly made, the Minister shall, after considering any such objection which is not withdrawn and the report of the person appointed by him under the last foregoing paragraph, serve on the persons upon whom the notice of acquisition or a copy thereof was served a further notice in writing either withdrawing the notice of acquisition or confirming the said notice as respects all the articles to which it relates or such of those articles as may be specified.
- 6 Any article with respect to which a notice of acquisition is served under this Part of this Schedule shall—

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

- (a) if no objection is duly made to the notice, vest in the Minister at the expiration of the time for making such an objection;
 - (b) if such an objection is duly made and the notice is confirmed as respects that article by a notice served under the last foregoing paragraph, vest in the Minister on the service of the last-mentioned notice ;
- and shall in either case vest free of any mortgage.