
STATUTORY INSTRUMENTS

1950 No. 513

**The Lands Tribunal (War Damage
Appeals Jurisdiction) Order 1950**

PART III

**REFERENCES UNDER SUBSECTION (4) AND
SUBSECTION (5) OF SECTION 32 OF THE PRINCIPAL ACT**

Time for instituting reference

15. A reference may be instituted at any time after the persons interested have failed to agree on any question which, under subsection (4) or subsection (5) of section thirty-two of the principal Act, falls in the first instance to be determined by agreement.

Methods of instituting reference

- 16.** A reference may be instituted by sending to the registrar either—
- (a) a joint submission substantially in Form C signed by all the persons interested; or
 - (b) an ex parte notice of reference substantially in Form D signed by a person interested and by any other person interested whose interests in the questions submitted for reference are substantially the same (together hereinafter called “the originating party”), and of which a duplicate copy has on the day of the date thereof been sent by the originating party to each of the other persons interested.

Entry of reference

17. Upon the receipt of the registrar of a joint submission or of an ex parte notice of reference, particulars thereof shall be entered in the Register of References, and the registrar shall inform each person interested who signed the joint submission or the ex parte notice of reference, as the case may be, and any person to whom a duplicate copy of the ex parte notice has been sent under the last preceding Article, of the number of the reference which shall thereafter constitute the title of the proceedings.

Procedure where reference has been instituted by ex parte notice

18. Where a reference is instituted by an ex parte notice of reference, any person interested who disagrees with any statement of fact or contention set out therein shall within thirty days of the date of the notice of reference send to the registrar and to the originating party a counter statement—

- (a) showing to what extent he admits or does not admit the accuracy of the facts stated by the originating party;
- (b) setting out such further facts (if any) as he considers are material and relevant and the contentions and values which he will advance at the hearing of the reference; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

- (c) stating the names of the other persons interested (if any) who desire to support his case and whose interests he has been requested to represent at the hearing.

A party to a reference limited to the contentions set out in his notice or counter statement

19. At the hearing of a reference instituted by an ex parte notice no person shall be entitled to rely on any contentions not set out in the notice or in the counter statement submitted by him or on his behalf, unless the tribunal thinks it just in the circumstances, and on such terms as to costs or adjournment or otherwise as it may think fit.

Notification of tribunal's decision

20. The registrar shall send a copy of the decision of the tribunal on a reference to each person interested and to the Commission.

Address of person interested unknown

21. If in connection with a reference the address of any person who appears to be a person interested is unknown, the President shall give such directions as he may think expedient to secure that the interests of that person shall not be disregarded, and the tribunal shall, if it is satisfied that any proprietary interest in the hereditament (being a proprietary interest in respect of which that person is entitled to claim part of the value payment) was depreciated in value by reason of the war damage, determine the extent to which the said proprietary interest was so depreciated.