
Changes to legislation: There are currently no known outstanding effects for the Local Government Act (Northern Ireland) 1934, Paragraph 19. (See end of Document for details)

SCHEDULES

SECOND SCHEDULE ^{F1}

ACQUISITION OF LAND BY VESTING ORDERS

F1 See note to s.22(2)

SATISFACTION OF CLAIMS ATTACHED TO COMPENSATION FUND

- 19 (1) Where the compensation payable (whether the amount thereof has been settled by agreement or determined by [^{F1} the Lands Tribunal]) to any person claiming any interest in the compensation fund does not exceed the sum of one hundred pounds, and the claimant makes a statutory declaration in the prescribed form stating whether he claims as absolute or as limited owner, and gives prima facie evidence which satisfies the local authority that for not less than six years immediately preceding he, or his immediate predecessor in title, has been personally or by an agent in receipt of the rents or profits of the land in respect of which compensation is payable, or in actual occupation thereof, the local authority may pay to the person claiming as absolute owner the compensation payable for the interest in respect of which he claims, and, in the case of a person claiming as limited owner of the interest in respect of which he claims, the local authority may pay the compensation payable for that interest to the trustees of the settlement under which such limited owner claims, or, where there are no such trustees, may pay such compensation into court in accordance with the provisions of article twenty-one of this Schedule.
- (2) Where any compensation not exceeding the sum of one hundred pounds is payable in respect of an interest which is subject to any mortgage or charge (not being a charge consisting of an annuity under the Land Purchase Acts, or a charge in respect of any sums repayable in respect of a loan or advance made by any Government department), the compensation may be paid to the person entitled to the mortgage or charge, or, if there is more than one such mortgage or charge, then to the person entitled to the mortgage or charge which is first in priority, and the amount so paid shall be received in reduction of the principal sum for the time being owing in respect of the mortgage or charge, notwithstanding any direction, proviso or covenant to the contrary contained in any instrument. Where the compensation is paid to a mortgagee or chargeant, the receipt given by the mortgagee or chargeant shall release the compensation fund from all claims by him and any subsequent mortgagee or chargeant, and also from all claims by the person creating the mortgage or charge and all persons claiming through or under that person.
- (3) A memorandum of the amount paid under the last preceding paragraph shall, when practicable, be endorsed on the instrument creating the mortgage or charge, and shall be signed by the person receiving the compensation, and a copy of the memorandum shall be furnished by the local authority at their expense to all persons appearing to the local authority to be entitled to any interest in the land subject to the mortgage or charge.

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F1 [1964 c.29 \(NI\)](#)

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