



Land Development Values (Compensation) Act (Northern Ireland) 1965

1965 CHAPTER 23

PART IV

MISCELLANEOUS PROVISIONS

^{F1}33 Calculation of value.

- (1 ^{F2} In calculating the value of a compensatable estate in and for^{F3} the purposes of section 26]
- (a) subject to subsection (2), rules (2) to (4) of the rules set out in^{F4} Article 6(1) of the Land Compensation (Northern Ireland) Order 1982] shall, so far as applicable have effect as they have effect for the purpose of assessing compensation for the compulsory purchase of land; and
 - (b) if a compensatable estate to be valued is mortgaged, it shall be treated as if the mortgage had been discharged.

Subs. (2) rep. by 2001 c. 2 (NI)

- (3) Where, for the purposes of^{F3} section 26]
- (a) value falls to be calculated by reference to the duration of a tenancy; and
 - (b) by reason of any option or other contractual right with respect to the determination, renewal or continuance of the tenancy the date of expiry of the tenancy is not ascertainable with certainty;

that date shall be taken to be such as appears reasonable and probable having regard to the interests of the party by whom the option is exercisable, or in whose favour the right operates, and to any other material considerations subsisting at the time when the calculation of value falls to be made.

F1 1972 NI 17

F2 1972 c. 5 (NI)

F3 2001 c. 2 (NI)

Changes to legislation: There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 33 . (See end of Document for details)

F4 1982 NI 9

Modifications etc. (not altering text)

- C1** S. 33 applied (with modifications) (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), **ss. 181(4), 254(1), (2)** (with s. 211); [S.R. 2015/49](#), arts. 2, 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by [S.R. 2016/159](#), art. 2)

Changes to legislation:

There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 33 .