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STATUTORY INSTRUMENTS

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**1972 No. 1634**

**Planning (Northern Ireland) Order 1972**

**PART XIV**

**MINERALS**

*Art. 95 rep. by 1991 NI 11*

*Art. 96 rep. by 1973 NI 21*

**Modification of s.26(1) of the Act of 1965 in relation to minerals**

**97.**—(1) Where any planning permission for development consisting of the winning and working of minerals is revoked or modified, a claim for expenditure or loss shall not be entertained under section 26(1) of the Act of 1965 in respect of buildings, plant or machinery unless the claimant proves that he is unable to use the buildings, plant or machinery or (as the case may be) to use them except at the loss claimed.

(2) For the purposes of a claim for expenditure or loss to which paragraph (1) applies the Lands Tribunal may give a direction that the claim be severed from the remainder of the claim and be dealt with at such later date as may be fixed by the Tribunal either in such direction or subsequently on application by either party.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Planning (Northern Ireland) Order 1972, PART XIV.