
STATUTORY INSTRUMENTS

1982 No. 712

The Land Compensation (Northern Ireland) Order 1982

PART V

COMPENSATION FOR INJURIOUS AFFECTION CAUSED BY EXECUTION OF WORKS

Compensation for injurious affection caused by execution of works

18.—(1) Where, by reason of the execution of works on land acquired (whether compulsorily or otherwise) by an authority possessing compulsory acquisition powers, and other land is injuriously affected, the authority shall, subject to any provision to the contrary in any transferred provision and subject to and in accordance with the following provisions of this Article, pay compensation in respect of the injurious affection.

(2) Compensation in respect of injurious affection shall not be paid under this Article to any person from whom any land has been acquired by the acquiring authority for the purpose of executing the works and to whom any compensation is payable under Article 8 by the authority in respect of that injurious affection.

(3) Compensation shall be paid under this Article only in respect of injurious affection which would, but for the provisions of the transferred provision authorising the execution of the works, have given rise to a right of action for damages against any person causing the injurious affection.

(4) In assessing compensation to be paid under this Article, regard shall be had to any benefit which the person entitled to the compensation may derive from any works carried out or to be carried out on the land acquired by the authority.

(5) Where the authority undertakes before the compensation to be paid under this Article is agreed upon or determined, to make alterations or additions or to construct additional works or to abandon part of the land acquired or to grant other lands or easements, the compensation shall be determined having regard to such undertaking.

(6) Where for the purpose of assessing the amount of any compensation to be paid under this Article the value of any land is required to be determined, that value shall, except in so far as any other transferred provision (whether passed or made before or after the making of this Order) otherwise provides, be determined in accordance with rules (2) to (4) of Article 6.

(7) Compensation under this Article shall carry interest, at such rate as may for the time being be determined by the Department of Finance by order under paragraph 18 of Schedule 6 to the Local Government Act (Northern Ireland) 1972^{F1}, from the date of the claim until payment.

F1 1972 c. 9 (NI)

Modifications etc. (not altering text)

C1 Art. 18 applied by 2003 c. 21, Sch. 3A para. 85(5) (as inserted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\)](#), s. 118(6), [Sch. 1](#) (with [Sch. 2](#)); [S.I. 2017/1286](#), reg. 2(b))

Changes to legislation:

The Land Compensation (Northern Ireland) Order 1982, Section 18 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 6(2)-(4) applied (by S.I. 1996/725 (N.I.), art. 18B 18C (as inserted)) by [2022 c. 46 s. 64\(2\)](#)