

Status: Point in time view as at 01/04/2007.

Changes to legislation: The Water and Sewerage Services (Northern Ireland) Order 2006, Cross Heading: Compensation is up to date with all changes known to be in force on or before 11 August 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. (See end of Document for details)

SCHEDULES

SCHEDULE 4

RIGHTS OF ENTRY

PART II

OTHER RIGHTS OF ENTRY AND RELATED POWERS

Compensation

11.—(1) Where any person exercises any right or power to which this Part of this Schedule applies, it shall be the duty of the relevant authority to make compensation to any person who has sustained loss or damage by reason of—

- (a) the exercise by the designated person of that right or power or of any power to take any person or equipment with him when entering the premises in relation to which the right or power is exercised; or
- (b) the performance of, or failure of the designated person to perform, the duty imposed by paragraph 10.

(2) Compensation shall not be payable by virtue of sub-paragraph (1) in respect of any loss or damage—

- (a) if it is attributable to the default of the person who sustained it;
- (b) if compensation is payable in respect of it by virtue of any other provision of this Order; or
- (c) to the extent that it is made good by the relevant undertaker.

(3) Any dispute as to a person's entitlement to compensation under this paragraph or as to the amount of any such compensation, shall be referred to the Lands Tribunal.

Commencement Information

- II** Sch. 4 para. 11 wholly in operation at 1.4.2007, see art. 1(2) and S.R. 2007/194, art. 2(2), Sch. 1 Pt. II (subject to art. 3, Sch. 2)

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