

And I do hereby Order and Direct that this Order shall take effect and be in force from and immediately after the date of its notification in the Belfast Gazette.

Given at the Council Chamber, Stormont Castle, this 30th day of April, 1928.

By His Grace's Command.

*R. Dawson Bates.*

*Craigavon.*

*H. M. Pollock.*

*John M. Andrews.*

*J. Milne Barbour.*

*A. B. Babington.*

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## LAND (ACQUISITION OF).

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*Assessment of Compensation :  
General, p. 140.*

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Fees, p. 143.*

### **Assessment of Compensation : General.**

MADE BY THE MINISTRY OF FINANCE UNDER THE ACQUISITION OF LAND (ASSESSMENT OF COMPENSATION) ACT, 1919, AS AMENDED BY SECTION 1 OF THE ADMINISTRATIVE PROVISIONS ACT (NORTHERN IRELAND), 1928.

1928. No. 66.

1. These Rules may be cited as the Acquisition of Land (Assessment of Compensation) Rules (Northern Ireland), 1928.

2.—(1) In these Rules, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them—

“The Principal Act” means the Acquisition of Land (Assessment of Compensation) Act, 1919, as amended by the Referees and Arbitrators (Procedure) Act, (Northern Ireland), 1922.

“The Act of 1928” means section 1 of the Administrative Provisions Act (Northern Ireland), 1928.

“Acquiring Authority” means any local authority or any public authority as defined in the Principal Act.

“ Arbitrator ” means the arbitrator appointed under the Principal Act as amended by the Act of 1928.

“ Question ” means any question of disputed compensation or apportionment of rent, which is to be referred to and determined by arbitration in manner provided by the Principal Act as amended by the Act of 1928.

“ The Ministry ” means the Ministry of Finance.

(2) The Interpretation Act, 1921, applies for the purpose of the interpretation of these Rules as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

3.—(1) Where any question has arisen, either the acquiring authority of the claimant may at any time after the expiration of fourteen days from the date on which the notice to treat was served prepare (in duplicate) a reference to the arbitrator for hearing in the form set out in the Schedule to these Rules, or in a form to the like effect, one copy of which shall be sent to the Ministry together with the fee prescribed in that behalf by the Ministry under sub-section (6) of section 3 of the Principal Act, and the other copy shall be sent to the arbitrator.

(2) The acquiring authority or claimant, as the case may be, shall, immediately after sending the reference for hearing, send notice of the fact to the claimant or acquiring authority, as the case may be, together with a copy of the reference.

4.—(1) On receipt of the reference under Rule 3, the Ministry shall cause the amount of the fee payable to be impressed thereon and shall forward it to the arbitrator, who shall upon its receipt proceed with the determination of the question, and shall arrange with the acquiring authority and the claimant the time and place of the hearing.

(2) The acquiring authority and the claimant shall furnish to the arbitrator on his request any available documents or other evidence which he may require for the purpose of determining the question.

(3) Subject to the provisions of the Principal Act and of these Rules, proceedings before the arbitrator shall be such as the Arbitrator may in his discretion think fit.

5.—(1) Where notices to treat have been served for the acquisition of several interests in the land to be acquired, and questions have arisen in the case of two or more of those interests, the acquiring authority may, upon giving notice to each claimant and to the arbitrator at least fourteen days before the date arranged for the hearing, apply to the arbitrator for an Order that all or any of the claims shall be heard together.

(2) If any claimant objects to have his claim heard together with other claims he shall, within seven days after the receipt of the notice under paragraph (1) of this Rule, send notice of his objection to the acquiring authority and to the arbitrator.

(3) The arbitrator shall consider any objections made to the application, and shall thereupon make such order in the matter as he thinks proper.

(4) An Order by the arbitrator under this Rule may provide that some only of the claims in respect of which application was made to him shall be heard together and the Order may be made subject to such special directions as to costs, witnesses, method of procedure and otherwise as the arbitrator thinks fit.

6. The arbitrator shall not issue his award until there shall have been paid in respect of the proceedings the fees prescribed by the Ministry under sub-section (6) of Section 3 of the Principal Act.

7. Any notice or other document required or authorised to be sent to any person for the purpose of these Rules shall be deemed to be duly sent if sent by post addressed to that person at his ordinary address, and the address of the arbitrator shall for this purpose be the place where he carries on his private practice as set out in the minute of appointment made by the Minister of Finance.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this fourth day of July, 1928, in the presence of—

*G. C. Duggan,*  
Assistant Secretary.

(L.S.)

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SCHEDULE.

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Acquisition of land (Assessment of Compensation) Act, 1919, as amended by the Referees and Arbitrators (Procedure) Act, (Northern Ireland), 1922, and the Administrative Provisions Act (Northern Ireland), 1928.

REFERENCE TO ARBITRATOR.

To the Arbitrator appointed under the foregoing Acts.

I, being the Claimant (or, We, being the acquiring authority) specified in the annexed particulars hereby refer to your arbitration the hearing and determination of the questions of which particulars are annexed.

A copy of this reference together with the amount of the fee payable thereon has been forwarded to the Ministry of Finance.

\* Signed.....

Date.....

\* If the Application is signed by an agent, add "by.....his (or their) agent."

PARTICULARS :

Name and Address of acquiring authority :

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Name and Address of acquiring authority's solicitor or agent :

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Name and Address of claimant :

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Name and Address of claimant's solicitor or agent :

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Description of land to be acquired :

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Situation of land to be acquired :

County.....

District Electoral Division.....

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**Assessment of Compensation : Fees.**

MADE BY THE MINISTRY OF FINANCE UNDER SUB-SECTION (6) OF SECTION THREE OF THE ACQUISITION OF LAND (ASSESSMENT OF COMPENSATION) ACT, 1919.

1928. No. 67.

1.—(1) These rules may be cited as the Acquisition of Land (Assessment of Compensation) Fees Rules (Northern Ireland), 1928.

(2) In these rules, unless the context otherwise requires, the expression "the Act" shall mean the Acquisition of Land (Assessment of Compensation) Act, 1919, and the expression "Arbitrator" shall mean the official arbitrator appointed by the Minister of Finance pursuant to section 1 of the Administrative Provisions Act (Northern Ireland), 1928.