



Land Compensation Act 1973

1973 CHAPTER 26

PART III

PROVISIONS FOR BENEFIT OF PERSONS DISPLACED FROM LAND

Home loss payments

[^{F1}30 Amount of home loss payment in England and Wales.

- (1) In the case of a person who on the date of displacement is occupying, or is treated for the purposes of section 29 above as occupying, the dwelling by virtue of an interest in it which is an owner's interest, the amount of the home loss payment shall be 10 per cent. of the market value of his interest in the dwelling or, as the case may be, the interest in the dwelling vested in trustees, subject to a maximum of £15,000 and a minimum of £1,500.
- (2) In any other case, the amount of the home loss payment shall be £1,500.
- (3) For the purposes of this section and section 32 below the market value of an interest in a dwelling—
 - (a) in a case where the interest is compulsorily acquired, is the amount assessed for the purposes of the acquisition as the value of the interest; and
 - (b) in any other case, is the amount which, if the interest were being compulsorily acquired in pursuance of a notice to treat served on the date of displacement, would be assessed for the purposes of the acquisition as the value of the interest,and any dispute as to the amount referred to in paragraph (b) above shall be determined by the [^{F2}Upper Tribunal].
- (4) In determining for the purposes of this section and section 32 below the market value of an interest in a dwelling, the dwelling shall be taken to include any garden, yard, outhouses and appurtenances belonging to or usually enjoyed with that dwelling.

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- (5) The Secretary of State may from time to time by regulations prescribe a different maximum or minimum for the purposes of subsection (1) above and a different amount for the purposes of subsection (2) above.
- (6) The power to make regulations under subsection (5) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section “owner’s interest” means the interest of a person who is an owner as defined in section 7 of the ^{M1} Acquisition of Land Act 1981.]

Textual Amendments

- F1** S. 30 substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(3\)\(9\)](#) (with [s. 84\(5\)](#)); [S.I. 1991/2067](#), [art. 3](#).
- F2** Words in [s. 30\(3\)](#) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), [art. 1](#), [Sch. 1 para. 104](#) (with [Sch. 5](#))
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Marginal Citations

- M1** [1981 c. 67](#)

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

- Act applied (with modifications) by [S.I. 2024/174 Sch. 8 para. 12](#)
- Act applied (with modifications) by [S.I. 2024/230 Sch. 9 para. 12](#)
- Act applied (with modifications) by [S.I. 2024/360 Sch. 5 para. 13](#)
- Act applied (with modifications) by [S.I. 2024/393 Sch. 10 para. 12](#)
- Act applied (with modifications) by [S.I. 2024/436 Sch. 9 para. 13](#)
- Act applied (with modifications) by [S.I. 2024/526 Sch. 10 para. 13](#)
- Act applied (with modifications) by [S.I. 2024/564 Sch. 8 para. 13](#)
- Act modified by [S.I. 2020/1297 Sch. 5 para. 3](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Act modified by [S.I. 2021/51 Sch. 6 para. 3](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)

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

- s. 12A(9)(b)(c) substituted for s. 12A(9)(b) by [2002 c. 15 Sch. 8 para. 1\(4\)](#)
- s. 52A(2B) inserted by [2016 c. 22 s. 196\(2\)\(b\)](#)
- s. 52A(2B) words substituted by [2017 c. 20 s. 39](#)