

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 45.

PROVISIONS RELATING TO ORDERS UNDER SECTION 45

Modifications etc. (not altering text)

C1 Schs. 7–10 extended with modifications by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 59(3)(4)

- 1 Any person having an interest in land to which the order relates shall, if the value of the interest is diminished by the coming into operation of the order, be entitled to recover compensation for the diminution—
 - (a) from the Secretary of State, if the order is made in respect of an aerodrome vested in or under the control of the Secretary of State; and
 - (b) from the CAA, if it is made in respect of an aerodrome owned or managed by the CAA.
- 2 Paragraph 11 of Schedule 7 to this Act shall have effect in relation to any compensation payable under paragraph 1 above as it has effect in relation to any such compensation as is mentioned in the said paragraph 11.
- 3 Any person who sustains damage by being disturbed in the use of land or water by reason of the coming into operation of the order (not being damage which consists of the diminution in the value of an interest in land) shall be entitled to recover compensation for the damage—
 - (a) from the Secretary of State, if the order is made in respect of an aerodrome vested in or under the control of the Secretary of State; and
 - (b) from the CAA, if it is made in respect of an aerodrome owned or managed by the CAA.
- 4 For the purpose of assessing compensation under this Schedule, in so far as it is payable in respect of the diminution in the value of an interest in land, section 5 of the ^{M1}Land Compensation Act 1961, section 12 of the ^{M2}Land Compensation (Scotland) Act 1963 or section 2 of the ^{M3}Acquisition of Land (Assessment of Compensation) Act 1919 (which contain rules for assessing compensation) shall (according as the land is in England and Wales, Scotland or Northern Ireland), so far as applicable and subject to any necessary modifications, have effect as it has effect for the purpose of assessing compensation for the compulsory acquisition of land.

Marginal Citations

M1 1961 c. 33.
M2 1963 c. 51.
M3 1919 c. 57.

- 5 Where any dispute arises as to whether compensation is payable under this Schedule, or as to the amount of any such compensation or as to the persons to

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whom it is payable, the dispute shall be referred to and determined by the Lands Tribunal.

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