

## SCHEDULES

### SCHEDULE 3

#### MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

##### *Compensation enactments*

**2.**—(1) Without prejudice to the generality of paragraph 1, the Land Compensation Act 1973<sup>(1)</sup> has effect subject to the modifications set out in sub-paragraphs (2) and (3).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4, for the words—

- (a) “land is acquired or taken” there is substituted the words “a right over land is purchased”; and
- (b) “acquired or taken from him” there is substituted the words “over which the right is exercisable”.

(3) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5, for the—

- (a) word “part” in paragraphs (a) and (b) there is substituted the words “a right over land consisting”;
- (b) word “severance” there is substituted the words “right over the whole of the house, building or manufactory or of the house and the park or garden”;
- (c) words “part proposed” there is substituted the words “right proposed”; and
- (d) words “part is” there is substituted the words “right is”.

---

(1) 1973 c. 26.