1993 No. 257

EDUCATION

Education and Library Boards (Compulsory Acquisition of Land) Regulations (Northern Ireland) 1993

Made	*28th May 1993*
Coming into operation . .	*1st August 1993*

The Department of Education, in exercise of the powers conferred on it by section 97(2) of and paragraphs 1, 5(1), 11(3), 12(1), 14(1) and 15(1) of Schedule 6 to the Local Government Act (Northern Ireland) 1972(**a**) as applied by Article 106(2) of and Part II of Schedule 16 to the Education and Libraries (Northern Ireland) Order 1986(**b**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Education and Library Boards (Compulsory Acquisition of Land) Regulations (Northern Ireland) 1993 and shall come into operation on 1st August 1993.

Interpretation

2.—(1) In these regulations—

''the Department'' means the Department of Education;

''the Act'' means the Local Government Act (Northern Ireland) 1972; and

''the Order'' means the Education and Libraries (Northern Ireland) Order 1986.

(2) Any reference in these regulations to a provision of Schedule 6 to the Act shall be construed as a reference to that provision as applied and modified by Article 106(2) of and Part II of Schedule 16 to the Order.

Application for vesting order

3. An application for a vesting order in pursuance of the provisions of Article 106 of the Order shall be in the Form No. 1 in the Schedule.

Notice of making of vesting order

4. Where a vesting order has been made in respect of any land, the notice thereof which is required to be given in pursuance of the provisions of paragraph 5(1)(*a*) of Schedule 6 to the Act shall be in the Form No. 2 in the Schedule and shall be published in one or more of the newspapers circulating in the locality in which that land is situated.

(**a**) 1972 c. 9 (N.I.)
(**b**) S.I. 1986/594 (N.I. 3) as amended by Article 166 of and Schedule 9 to S.I. 1989/2406 (N.I. 20)

Notice of vesting order becoming operative

5. Notice of a vesting order becoming operative which may be served under paragraph 5(1)(*d*) of Schedule 6 to the Act shall be in the Form No. 3 in the Schedule.

Notice to be given where land is subject to payment of an annuity

6. The notice to be given to the Department of Agriculture(**a**) in pursuance of the provisions of paragraph 11(3) of Schedule 6 to the Act shall be in the Form No. 4 in the Schedule.

Maps and schedules in cases of dispute

7. The maps and schedules caused to be made out by the Board in pursuance of paragraph 12(1) of Schedule 6 to the Act where any question of disputed compensation arises shall be upon such scale and be framed in such manner as is hereinafter set forth, that is to say:

(*a*) (i) the maps shall be upon a scale of not less than 1: 2500;

(ii) each field, enclosure, road, passage, house or building to which the vesting order relates (whether wholly or in part) shall be clearly shown on the maps, with the fences of the lands abutting thereon accurately indicated, and with the areas acquired marked in hectares and square metres and clearly defined by boundaries;

(iii) each separate parcel of land or property of any kind shall be indicated and marked on the maps by a distinctive number corresponding to the number assigned to such property in the schedule of the scheduled lands as provided in sub-paragraph (*b*);

(iv) the maps shall show the names of the towns or townlands, districts and counties in which the scheduled lands are situated and all townland boundaries so far as they intersect or closely adjoin the scheduled lands; and

(v) the scale of each map shall be clearly marked thereon and the points of the compass and a portion of any closely adjoining street or road shown, with the name thereof, or with words indicating the towns or villages to or from which the street or road leads;

(*b*) (i) the schedules shall be in the Form No. 5 in the Schedule and shall contain full particulars of the scheduled lands; and

(ii) in the schedules a distinctive number shall be assigned to each separate parcel of land or property of any kind.

Receipt for compensation

8. The receipt to be given to the Board for any compensation paid by it shall be in the Form No. 6 in the Schedule.

(a) Functions transferred from the Department of Finance by S.I. 1982/338 (N.I. 6) Art. 5 and Sch. 1 Part I

Statutory declaration in certain cases

9. The statutory declaration to be made by a person to whom the compensation payable does not exceed the sum of £100 shall be in the Form No. 7 in the Schedule.

Sealed with the Official Seal of the Department of Education on 28th May 1993.

(L.S.) *A. McVeigh*
Assistant Secretary

FORM NO. 1

EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1986

LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972

..... [Name of Education and Library Board]

Application for Vesting Order

The [Name of Education and Library Board] in pursuance of the provisions of the above enactments, hereby applies to the Department of Education for an Order vesting the land described in the Schedule in the said Board in accordance with and subject to the provisions of the above enactments.

The said Board desires to acquire the said land otherwise than by agreement for the following purposes:*

Dated this day of 1993.

[SEAL] ..... Chairman

..... Chief Executive

[ ] Education and Library Board

* The reasons for the acquisition should be set forth here.

SCHEDULE

Description of Land

County of .....

District of ..... Barony or Town of .....

Townland or Street	Area ( )	Names and addresses of persons appearing to have an estate	Nature of estate of persons in column 3	Ref. to land on attached map & folio No. (if any)	Nature of estate to be acquired
1	2	3	4	5	6

FORM NO. 2

EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1986

LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972

..... [Name of Education and Library Board]

Notice of Making of Vesting Order

Notice Is Hereby Given that the Department of Education for Northern Ireland, acting in pursuance of the provisions of the above enactments made on the day of 19 , an Order vesting the lands described therein in the [ ] Education and Library Board in accordance with and subject to the provisions of the above enactments.

A copy of the Vesting Order and related map may be seen during usual office hours at

.....

[or at the office of the Department of Education for Northern Ireland]

Dated this day of 19 .

..... Chief Executive
[ ] Education and Library Board

FORM NO. 3

EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1986

LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972

..... [Name of Education and Library Board]

Notice that a Vesting Order has become operative

To ..... of .....

.....

TAKE NOTICE that the vesting order in respect of which notice of application was served on you by the [ ] Education and Library Board on ..... was made on ..... and has become operative.

A copy of the vesting order and of any map or plan referred to therein may be seen during usual office hours at ..... and may be obtained free of charge upon written request made by or on behalf of any person having an estate in the land vested thereby.

Dated this ..... day of ..... 19 .....

..... Chief Executive
[ ] Education and Library Board