FORM No. 7

THE ROADS ACT (NORTHERN IRELAND), 1948

STATUTORY DECLARATION BY PERSON CLAIMING COMPENSATION NOT EXCEEDING ONE HUNDRED POUNDS

I, of aged years and upwards do solemnly and sincerely declare as follows :—

(a) Date of vesting.

(b) In the case of a limited owner set out the nature of the interest.

1. I was on and prior to the (a) day of 19 the absolute owner (or (b)) of All That and Those that parcel of land in the Townland of , Barony of (Town of Parish of) and County of containing acres roods and perches statute measure or thereabouts which was vested (or rights or easements over which were vested) in the Council of the Administrative County of (Urban District of) on the said (a) day of 19 , by a Vesting Order made by the Ministry of Commerce on the day of 19 , in accordance with and subject to the provisions of the Fifth Schedule to the Roads Act (Northern Ireland), 1948, and in respect of which parcel of land I claim the sum of as compensation (to be paid to the trustees of the settlement under which I hold as such limited owner).

2. My title to the said parcel of land as such absolute owner (limited owner) was as follows :—

(Here set out the title in separate paragraphs. In the case of a limited owner the names and addresses of the trustees of the settlement should be given to enable payment of the compensation to be made to them).

3. For not less than six years prior to the vesting of the said parcel of land in the said Council I was (and I verily believe my immediate predecessor in title was) in actual occupation and in full free and undisturbed possession and enjoyment and receipt of the rents and profits of the said parcel of land and no claim has been made by, or acknowledgement given to, any person in respect of the said lands or the rents or profits thereof save as herein set forth.

4. Save as herein set forth, there was not at the time of the vesting of the said parcel of land in the said Council any charge or incumbrance affecting the same.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared and Subscribed before me at in the County of this day of 19 .

Trunk Roads

ORDER DATED 23RD FEBRUARY, 1949, MADE BY THE MINISTRY OF COMMERCE UNDER SECTION 6 OF THE ROADS ACT (NORTHERN IRELAND), 1948.

1949. No. 32

The Ministry of Commerce for Northern Ireland (hereinafter referred to as "the Ministry") in exercise of the powers conferred on it by sub-section (4) of section 6 of the Roads Act (Northern Ireland), 1948 (hereinafter referred to as "the Act"), and of all other powers enabling it in that behalf hereby makes the following Order :—

1. This Order may be cited as " The Trunk Roads (Delegation of Powers) Order (Northern Ireland), 1949," and shall come into force on the 1st day of April, 1949.

2. In this Order the expression

" Council " means the Council of a County, County Borough or Urban District.

" Trunk Road " means a road so designated by Order of the Ministry under Section 1 of the Act.

3. Each Council shall in relation to any trunk road situate in the area of that Council—

(*a*) exercise the functions set out in Part I of the First Schedule hereto ;

(*b*) exercise such of the functions set out in Part II of the First Schedule hereto as are exercisable by the Ministry as respects that road to the extent and in accordance with the conditions therein specified : provided that nothing in this Order shall delegate to the Council the functions of the Ministry under any enactment with respect to any appeal by an aggrieved person or the settlement of any disputes other than the enactments specified in paragraph 2 of Part II of the First Schedule hereto ;

(*c*) execute or supervise the works set out in the Second Schedule hereto until the completion thereof or until the expiry of this Order, whichever shall first occur, unless otherwise directed by the Ministry in any particular case.

4. In the exercise of the functions referred to in paragraphs (*a*), (*b*) and (*c*) of Article 3 of this Order, the Council shall act as agents for the Ministry and in accordance with the conditions set out in the Third Schedule hereto.

5. This Order shall remain in force up to and including the 31st day of March, 1952.

6. The Interpretation Act, 1921, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this twenty-third day of February, 1949 in the presence of

(L.S.) *Arthur Acheson Farrell,*
Assistant Secretary.

SCHEDULES

FIRST SCHEDULE

PART I

FUNCTIONS REFERRED TO IN ARTICLE 3(*a*) OF THIS ORDER

MAINTENANCE, REPAIR AND IMPROVEMENT OF TRUNK ROADS

1. Construction of new and strengthening of existing foundations.

2. Resurfacing of carriageways.

3. Surface dressing of carriageways.

4. Patching, gritting and siding and general upkeep of the road surface.

5. Snow clearing necessary for the maintenance of the carriageway and the safety of traffic thereon.

6. Provision and maintenance of kerbing.

7. Provision and maintenance of surface water drainage including channelling, gripes and gullies.

8. Provision, improvement and maintenance of footpaths.

9. Provision, planting and care of trees and shrubs, laying out, cutting and maintenance of grass and verges.

10. Provision and maintenance of fences and maintenance of retaining or sea walls necessary for the support or protection of the trunk road.

11. Provision, lighting and maintenance of roundabouts, raised islands and places of refuge within the limits of the trunk road and provision and maintenance of guard rails and barriers.

12. Provision, maintenance and operation of traffic signs, including signs for the control of traffic entering or leaving the trunk road.

13. Maintenance and lighting of subways and footbridges.

14. Maintenance of bridges and culverts including the provision of new culverts within the limits of the trunk road.

PART II

FUNCTIONS REFERRED TO IN ARTICLE 3(*b*) OF THIS ORDER

MISCELLANEOUS FUNCTIONS

1. Functions to be exercised subject to compliance with any general or particular directions the Ministry may give from time to time.

(*a*) Functions under

(i) sub-section (4) of section 9 of the Summary Jurisdiction (Ireland) Act, 1851, as modified by the Act ;

(ii) section 18 of the Grand Jury (Ireland) Act, 1856 ;

(iii) section 29 of the Public Health Acts Amendment Act, 1907 ;

(iv) section 9 of the Roads Improvement Act (Northern Ireland), 1928, as modified by the Act ;

(v) section 4 of the Roads Act (Northern Ireland), 1937, as modified by the Act ;

(vi) section 18 of the Act (so much as provides for the giving of consent to works referred to in paragraphs (*a*) (except the erection of any buildings), (*b*), (*d*) and (*e*) of sub-section (1) of that section) ;

(vii) section 20 of the Act (so much as provides for the giving of permission to the erection of structures).

(*b*) Functions of the Ministry as road authority under the Telegraph Acts, 1863-1943.

(*c*) Functions of the Ministry as road authority in relation to statutory undertakers or transferred to it by virtue of sub-section (4) of section 4 of the Act including any functions it may hereafter acquire by virtue of any provision inserted for the protection of the Ministry in any Act including any private or local Act.