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STATUTORY INSTRUMENTS

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**1973 No. 1896**

**Land Acquisition and Compensation  
(Northern Ireland) Order 1973**

**PART VII**

**ACQUISITION OF LAND BY MINISTRY OF FINANCE**

**Compulsory acquisition of land required for the public service**

**65**<sup>F1</sup>.—(1) Without prejudice to the power of the Ministry of Finance (in this and the following Article referred to as “the Ministry”) under section 5(1) of the Stormont Regulation and Government Property Act (Northern Ireland) 1933 to purchase by agreement or take on lease any land required for the purpose of any functions of the Ministry or for the administration of any public service in Northern Ireland, the Ministry may acquire compulsorily, in accordance with the following provisions of this Article, any land required for that purpose or for the administration of any such service.

(2) Where in exercise of the power conferred by paragraph (1) the Ministry desires to acquire any land compulsorily, the Ministry may make an order (in this Article referred to as a “vesting order”) vesting the land in the Ministry.

(3) Schedule 6 to the Local Government Act (Northern Ireland) 1972 shall, subject to the modifications thereof specified in Schedule 1 to this Order, apply for the purposes of the acquisition of land by means of a vesting order made under this Article in the same manner as it applies to the acquisition of land by means of a vesting order made under that Act.

(4) The power to make a vesting order in respect of land—

- (a) which is the property of any public body which has power under any transferred provision to acquire land compulsorily; or
- (b) which is declared by or under any transferred provision to be inalienable;

shall not, where representations objecting to the proposal for making the order have been duly made by the owner of the land and have not been withdrawn, be exercised in relation to that land unless the proposal for making the order has been approved by a resolution of each House of Parliament.

(5) Nothing in this Article shall have effect to confer power on the Ministry to acquire compulsorily any land for the purposes of any instrument under which the Ministry acts as trustee.

<b>F1</b> functions transf. by SR 1999/481
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**Power to enter on lands**

**66**<sup>F2</sup>.—(1) A person authorised in writing by the Ministry (in this Article referred to as an “authorised person”) may, on production if required of his credentials, at any reasonable time enter any land for the purpose of survey, valuation or examination—

- (a) where the Ministry proposes to acquire the land compulsorily under Article 65; or
  - (b) where it appears to the Ministry that survey, valuation or examination is necessary in order to determine whether the land should be so acquired.
- (2) A power of entry under paragraph (1) shall not be exercisable in relation to any land except—
- (a) with consent given by the occupier of the land; or
  - (b) after at least twenty-four hours' notice of the intended entry has been served on the occupier or owner of the land.
- (3) If any person, other than the owner or occupier of the land, knowingly prevents an authorised person from carrying out anything which the authorised person is duly authorised to do or obstructs the authorised person in carrying out any such thing, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding<sup>F3</sup> level 3 on the standard scale].
- (4) If any person, being the owner or occupier of land, knowingly prevents an authorised person from duly carrying into effect any survey, valuation or examination of the land or obstructs the authorised person in doing any such survey, valuation or examination, a court of summary jurisdiction on proof thereof may order him to permit to be done on the land all things requisite for carrying into effect such survey, valuation or examination; and, if he fails to comply with the order, he shall be guilty of an offence and shall, for every day during which the failure continues, be liable on summary conviction to a fine not exceeding<sup>F3</sup> level 2 on the standard scale].
- (5) Where under this Article an authorised person enters any land, he shall ensure that the land is not left less secure by reason of the entry, and the Ministry shall make good or pay compensation for any damage to property caused by, or in consequence of, the authorised person exercising any right or failing to perform any duty under this Article.
- (6) Any question of disputed compensation under this Article shall be referred to and determined by the Lands Tribunal.
- (7) Any reference in this Article to an occupier or to an owner shall be construed as including a reference to a person appointed in writing by the occupier or owner as his representative for purposes including all or any of the purposes of this Article.
- (8) Any power conferred by this Article shall be construed as including power to search and bore for the purpose of ascertaining the course of any sewers or drains or of ascertaining the nature of the subsoil therein and to take and carry away for examination specimens of the subsoil found therein.

**F2** functions transf. by SR 1999/481

**F3** 1984 NI 3

**Changes to legislation:**

There are currently no known outstanding effects for the Land Acquisition and Compensation (Northern Ireland) Order 1973, PART VII.