

Section 25

SECOND SCHEDULE

PROVISIONS RELATING TO ORDERS UNDER S. 25

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 from the Minister for the diminution.

2. Where the order comes into operation before the expiration of two years from the end of the war period, Part VIII of the Requisitioned Land and War Works Act, 1945 (which provides for adjustments of compensation for the purpose of eliminating changes in value due to the exercise of emergency powers) shall apply in relation to any compensation payable under the foregoing paragraph as it applies where compensation is payable on the acquisition of an easement over land by virtue of Part II of that Act:

Provided that for the purposes of this paragraph subsection (5) of section forty-one of the said Act of 1945 shall have effect as if paragraph (a) thereof were omitted therefrom.

In this paragraph the expression "war period" has the same meaning as it has in section forty of the said Act of 1945.

3. Paragraph 11 of the First Schedule to this Act shall have effect in relation to any compensation payable under paragraph 1 of this Schedule as it has effect in relation to any such compensation as is therein mentioned.

4. 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 from the Minister for the damage.

5. For the purposes 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 two of the Acquisition of Land (Assessment of Compensation) Act, 1919 shall, so far as it is 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.

6. Where any dispute arises as to whether compensation is payable under this Schedule, or as to the amount of any special compensation or as to the persons to whom it is payable, the dispute shall be referred to and determined by the Lands Tribunal.

Section 26.

THIRD SCHEDULE

PROVISIONS RELATING TO DIRECTIONS UNDER S. 26

PART I

1. Immediately after the Minister has given the direction, he shall publish in one or more newspapers circulating in the district a notice stating that the direction has been given, and shall also serve notice of the direction—

(a) in the case of a direction given for the purpose specified in paragraph (c) of subsection (2) of section twenty-six of