

APPEALS BOARD (LAND ACQUISITION)

Practice Direction No. 2 of 2001

Deposit under s 23(1)(b) of the Land Acquisition Act

1 Where the sole person interested is the Appellant, or where all the persons interested are joint Appellants, or where the Award contains an apportionment of the compensation among persons interested and the share of the Appellant (or joint Appellants) is not less than the sum of the deposit -

the Appellant (or joint Appellants) may comply with s 23(1)(b) by authorising the deposit with the Accountant-General to be made by the Collector. An actual deposit is not required.

A specimen form of authorisation may be obtained from the Appeals Board.

2 The Appellant (or joint Appellants) whose share of the compensation is less than the sum of the deposit may also comply with s 23(1)(b) by authorising the deposit to be made by the Collector provided that the authorisation is jointly given by or is concurred in by a person interested whose share of the compensation together with that of the Appellant (or joint Appellants) (if any) is not less than the sum of the deposit.

3 In other cases the Appellant (or joint Appellants) may comply with s 23(1)(b) by making a deposit with the Accountant-General.

4 Where the Appellant authorises the deposit to be made the Petition will not contain the particulars under Regulation 5(f) of the Land Acquisition (Appeals Board) Regulations but will state that the Appellant has authorised the deposit to be made by the Collector.

5 The Collector is not required to make an actual deposit with the Accountant-General.

6 The Collector will ear-mark the amount of the deposit and deal with it at the conclusion of the Appeal in accordance with the direction of the Appeals Board or the agreement of the parties.

Issued the 12th day of February 2001