

EMERGENCY LEGISLATION.

THE COMPENSATION (DEFENCE) LAW.

(CAP. 207.)

COMPENSATION (DEFENCE) NOTICE OF CLAIM RULES.

40 Vol. II 881

1. These rules may be cited as the Compensation (Defence) Notice of Claim Rules.

2. Claims for compensation or for the apportionment of compensation under the Compensation (Defence) Law, shall be made by notice in the appropriate form in the Appendix hereto. Cap. 207

3. Every such notice of claim shall be signed by the claimant or by a person duly authorized by the claimant on his behalf and shall be delivered in duplicate to such person as the authority by whom the requisition or acquisition was effected, or by or on whose behalf the act which is alleged to have given rise to a claim for compensation was done, shall direct, or, failing any such direction, to such authority.

APPENDIX.

FORM I.

THE COMPENSATION (DEFENCE) LAW, CAP. 207.

Requisition No.....

Notice of Claim for compensation under section 4 (1) (a), (c) and (d) in respect of the taking of possession of land and/or buildings.

1. Name of claimant.
Address.
Business or description.
2. Situation area and precise description of the land and/or buildings requisitioned with plan if available. (If agricultural land, state how much is arable and how much pasture).
Area of any adjoining land of the claimant of which possession has not been taken.
Buildings or parts of buildings on the land of which possession has not been taken.
3. Nature of interest.
If owner-occupier, state date of last known letting and give short particulars thereof.
If tenant, state—
 - (a) landlord's name and address ;
 - (b) nature of tenancy or lease ;
 - (c) date of tenancy or lease and short particulars and any special covenants or circumstances ;
 - (d) how determinable and term unexpired ;
 - (e) rent payable ;
 - (f) who is responsible for—
 - (i) rates ;
 - (ii) repairs ;
 - (iii) insurance ;
 - (iv) other expenses or outgoings, if any.
4. Annual value.
5. Particulars of mortgages, charges or other incumbrances, stating names and addresses of mortgagees, chargees or incumbrancers.
6. Particulars of outgoings.
7. Particulars, in the case of agricultural land, of the holding giving details in respect of—
 - (a) things previously done for the purpose of the cultivation of the land, and
 - (b) seeds ;
tillages ;
growing crops ;
unexhausted manures ;
other similar matters.
8. Date possession taken by competent authority.
9. Particulars of claim, showing how the amount claimed under each of the below mentioned heads is calculated—
 - (a) in respect of compensation under section 4 (1) (a) ;
 - (b) in the case of agricultural land the amount payable by an incoming tenant under section 4 (1) (c) ;

(c) in respect of expenses incurred in complying with directions (section 4 (1) (d)).

Dated the..... day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

Name and address of surveyor (if any).

This form is not to be used for claiming compensation for making good damage under section 4 (1) (b) (see Form 2) or for the requisition or acquisition of goods (see Form 13).

FORM 2.

THE COMPENSATION (DEFENCE) LAW, CAP. 207.

Requisition No.....

Notice of Claim for making good damage under section 4 (1) (b) in respect of the taking of possession of land and/or buildings.

1. Name of claimant.
Address.
Business or description.
2. Situation and precise description of the property requisitioned.
3. Nature of interest.
4. Value of land and/or buildings requisitioned at date of taking possession.
5. Particulars of mortgages, charges or other incumbrances, stating names and addresses of mortgagees, chargees or other incumbrancers.
6. Date possession taken by competent authority.
7. Date possession relinquished.
8. Particulars of claim showing in detail—
 - (a) the items of damage occurring to the land and/or buildings during the period of possession in respect of which compensation is claimed;
 - (b) the amount claimed as equal to the cost of making good each of such items of damage.

Dated the..... day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

Name and address of surveyor (if any).

FORM 3.

THE COMPENSATION (DEFENCE) LAW, CAP. 207.

Requisition No.....

Notice of Claim by an occupier of land under section 5 (2) in respect of the doing of work on the land and/or buildings.

1. Name of claimant.
Address.
Business or description.
2. Situation and precise description of the property.
3. Nature of interest.
If owner-occupier, state date of last known letting and give short particulars thereof.
If tenant, state—
 - (a) landlord's name and address;
 - (b) nature of tenancy or lease;
 - (c) date of tenancy or lease and short particulars and any special covenants or circumstances;
 - (d) how determinable and term unexpired;
 - (e) rent payable;
 - (f) who is responsible for—
 - (i) rates;
 - (ii) repairs;
 - (iii) insurance;
 - (iv) other expenses or outgoings, if any.
4. Particulars of mortgages, charges or other incumbrances, stating names and addresses of mortgagees, chargees or incumbrancers.
5. Particulars of work done on the land and/or buildings.
6. Particulars of claim showing the amount calculated in respect of—
 - (a) the annual value of the land and/or buildings if the work had not been done;
 - (b) the diminution of the annual value of the land and/or buildings ascribable to the doing of the work.

Dated the..... day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

Name and address of surveyor (if any).

FORM 4.

THE COMPENSATION (DEFENCE) LAW, CAP. 207.

Requisition No.....

Notice of Claim under section 5 (4) in respect of the depreciation in value of an estate or interest in land by the doing of work on the land and/or buildings.

1. Name of claimant.
Address.
Business or description.
 2. Situation and precise description of the property.
 3. Nature of estate or interest of the claimant.
 4. Particulars of mortgages, charges or incumbrances on that estate or interest, stating the names and addresses of mortgagees, chargees or incumbrancers.
 5. Particulars of work done on the land and/or buildings.
 6. Particulars of claim showing—
 - (a) how the value of the estate or interest has depreciated by the doing of the work;
 - (b) the amount of such depreciation.
- Dated the..... day of....., 19.....
 Signature of claimant.....
 Name and address of advocate (if any).

FORM 5.

THE COMPENSATION (DEFENCE) LAW, CAP. 207.

Requisition No.....

Notice of Claim under paragraphs (a), (b), (c), (d) and (e) of sub-section (1) of section 6 in respect of the requisition of a vessel.

1. Name of claimant.
Address.
Business or description.
 2. Nature of claimant's interest in the vessel; if claiming under charter, give particulars.
 3. Name and address of owner, if other than claimant.
 4. Description of vessel requisitioned stating—
 - (a) name;
 - (b) official number, if any;
 - (c) where registered;
 - (d) registered tonnage;
 - (e) type and build;
 - (f) year when built.
 5. Date and reference number of requisition by competent authority.
 6. Particulars of any mortgage, lien or other similar obligation to which the vessel was subject, stating the names and addresses of the persons entitled thereto.
 7. Particulars of claim under section 6 (1) :—
 - (i) under paragraph (a);
 - (ii) under paragraph (b);
 - (iii) under paragraph (c) stating date of damage;
 - (iv) under paragraph (d) stating date of occurrence of damage causing loss;
 - (v) under paragraph (e) giving particulars of directions.
- Dated the..... day of....., 19.....
 Signature of claimant.....
 Name and address of advocate (if any).

FORM 6.

THE COMPENSATION (DEFENCE) LAW, CAP. 207.

Requisition No.....

Notice of Claim under section 6 in respect of the acquisition of a vessel.

1. Name of claimant.
Address.
2. Name and address of person (if any) authorized to act on behalf of the claimant.
3. Description of vessel acquired stating—
 - (a) name;
 - (b) official number, if any;
 - (c) where registered;
 - (d) registered tonnage;
 - (e) type and build;
 - (f) year when built.