



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Application of compensation

67 Purchase money payable to parties under disability, amounting to 200*l*, to be deposited in the Bank.

The purchase money or compensation which shall be payable in respect of any lands, or any interest therein, purchased or taken by the promoters of the undertaking from any corporation, ^{F1}... life-renter, ^{F1}... [^{F2}a person who, within the meaning of Part I of the Children (Scotland) Act 1995, is entitled to act as a legal representative of a child] tutors, curators, or other guardians for any ^{F3}... [^{F4}person suffering from mental disorder within the meaning of the ^{M1}Mental Health (Scotland) Act, 1960], or for any person under any other disability or incapacity, judicial factor, trustee, executor or administrator, or person having a partial or qualified interest only in such lands, and not entitled to sell or convey the same except under the provisions of this or the special Act, or the compensation to be paid for any permanent damage to any such lands, shall, if it amount to or exceed the sum of two hundred pounds, the same shall be paid into the Bank, to the intent that such monies shall be applied, under the authority of the Court of Session, to some one or more of the following purposes; (that is to say,)

In . . . ^{F5} the discharge of any debt or incumbrance affecting the land in respect of which such money shall have been paid, or affecting other lands settled therewith ^{F1}... for the same trusts or purposes^{F1}...;

In the purchase of other lands to be conveyed, limited, and settled upon the ^{F1}... like trust and purposes and in the same manner, as the lands, in respect of which such money shall have been paid, stood settled; or

If such monies shall be paid in respect of any buildings taken under the authority of this or the special Act, or injured by the proximity of the works, or in removing or replacing such buildings, or substituting others in their stead, in such manner as the said court shall direct; or

In payment to any party becoming absolutely entitled to such money.

Changes to legislation: There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 67. (See end of Document for details)

Textual Amendments

- F1** Words in s. 67 repealed (28.11.2004) by Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), ss. 71, 77(2), sch. 12 para. 4(6), **sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F2** Words in s. 67 inserted (1.11.1996) by 1995 c. 36, s. 105(4), **Sch. 4 para. 1(3)(a)** (with Sch. 3 paras. 4, 6); S.I. 1996/2203, art. 3(3), **Sch.**
- F3** Words in s. 67 repealed (1.11.1996) by 1995 c. 36, s. 105(4)(5), Sch. 4 para. 1(3)(b), **Sch. 5** (with Sch. 3 paras. 4, 6); S.I. 1996/2203, art. 3(3), **Sch.** (which repealed words were substituted for words originally enacted by 1991 c. 50, **Sch. 1 para. 4**)
- F4** Words substituted by Mental Health (Scotland) Act 1960 (c. 61), **Sch. 4**
- F5** Words repealed by Finance Act 1963 (c. 25), **Sch. 14 Pt. VI**

Modifications etc. (not altering text)

- C1** S. 67 modified by Agriculture (Miscellaneous Provisions) Act 1968 (c. 34), s. 14(3), Sch. 4 paras. 4, 5
- C2** S. 67 extended by Land Compensation (Scotland) Act 1973 (c. 56, SIF 28:2), **s. 10(2)**
- C3** S. 67 modified (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 57(4), 89(2), **Sch. 8 para. 6(a)**(with s. 45(3), Sch. 12 para. 3)

Marginal Citations

- M1** 1960 c. 61.

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