



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Entry on lands

83 Payment of price to be made previous to entry, except to survey, &c.

The promoters of the undertaking shall not, except by consent of the owners and occupiers, enter upon any lands which shall be required to be purchased or permanently used for the purposes and under the powers of this or the special Act, until they shall either have paid to every party having any interest in such lands, or deposited in the Bank in the manner herein mentioned, the purchase money or compensation agreed or awarded to be paid to such parties respectively for their respective interests therein: Provided always, that for the purpose merely of surveying and taking levels of such lands, and of probing or boring to ascertain the nature of the soil, and of setting out the line of the works, it shall be lawful for the promoters of the undertaking, after giving not less than three nor more than fourteen days notice to the owners or occupiers thereof, to enter upon such lands without previous consent, making compensation for any damage thereby occasioned to the owners or occupiers thereof.

Modifications etc. (not altering text)

- C1** S. 83 excluded by [Camps Act 1939 \(c. 22\)](#), [ss. 2\(4\)](#), 7(a), and [\(S.\) Housing \(Temporary Accommodation\) Act 1944 \(c. 36\)](#), [ss. 6\(5\)](#), 7 and [Housing \(Scotland\) Act 1966 \(c. 49\)](#), [s. 144](#); modified by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), [s. 14\(3\)](#), [Sch. 4 paras. 4, 5](#)
- C2** S. 83 excluded by [Offshore Petroleum Development \(Scotland\) Act 1975 \(c. 8, SIF 86\)](#), [s. 1](#), [Sch. 2 para. 2\(2\)](#)
- C3** S. 83 excluded by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), [s. 11\(2\)](#)
- C4** S. 83 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](#))
S. 83 excluded (23.12.1999) by [S.S.I. 1999/203](#), [art. 17](#) (with [art. 30](#))
- C5** [Ss. 83-88](#) excluded (2.4.2004) by [The Highland Council \(Inverie\) Harbour Empowerment Order 2004 \(S.S.I. 2004/171\)](#), [arts. 1, 16](#) (with [arts. 28, 29](#))

Changes to legislation: There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 83. (See end of Document for details)

C6 Ss. 83-89 restricted (11.8.2004) by [Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004 \(asp 10\)](#), **s. 24(3)** (with s. 33)

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There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 83.