



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Entry on lands

84 Promoters to be allowed to enter on lands before purchase, on making deposit by way of security and giving bond.

Provided also, that if the promoters of the undertaking shall be desirous of entering upon and using any such lands before an agreement shall have been come to or an award made or verdict given for the purchase money or compensation to be paid by them in respect of such lands, it shall be lawful for the promoters of the undertaking to deposit in the Bank by way of security, as herein-after mentioned, either the amount of purchase money or compensation claimed by any party interested in or entitled to sell and convey such lands, and who shall not consent to such entry, or such a sum as shall, by a valuator appointed by the sheriff in the manner herein-before provided in the case of parties who cannot be found, be determined to be the value of such lands, or of the interest therein which such party is entitled to or enabled to sell and convey, and also, if required so to do, to give to such a party a bond, under the hand of the secretary or proper officer of person authorized, if the promoters be a company or corporation, or if they be not a company or corporation under the hand of the promoters, or any two of them, if more than one, with two sufficient securities, to be approved of by the sheriff in case the parties differ, for a sum equal to the sum so to be deposited, for payment to such party, or for making a deposit in the Bank for the benefit of the parties interested in such lands, as the case may require, under the provisions herein contained, of all such purchase money or compensation as may in manner herein-before provided be determined to be payable by the promoters of the undertaking in respect of the lands so entered upon, together with interest thereon at the rate of five pounds per centum per annum from the time of entering on such lands until, such purchase money or compensation shall be paid to such party, or deposited in the Bank for the benefit of the parties interested in such lands, under the provisions herein contained; and upon such deposit by way of security being made as aforesaid, and such bond being delivered or tendered to such non-consenting party as aforesaid, it shall be lawful for the promoters of the undertaking to enter upon and use such lands,

Changes to legislation: There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 84. (See end of Document for details)

without having first paid or deposited the purchase money or compensation in other cases required to be paid or deposited by them before entering upon any lands to be taken by them under the provisions of this or the special Act.

Modifications etc. (not altering text)

- C1** S. 84 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](#); amended by [Land Compensation \(Scotland\) Act 1963 \(c. 51\)](#), [s. 40\(1\)](#); modified by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), [S. 14\(3\)](#) [paras. 4, 5](#)
- C2** S. 84 excluded by [Land Compensation \(Scotland\) Act 1973 \(c. 56, SIF 28:2\)](#), [s. 48\(9\)\(b\)](#)
- C3** S. 84 modified by [Land Compensation \(Scotland\) Act 1973 \(c. 56, SIF 28:2\)](#), [s. 53\(1\)](#)
- C4** S. 84 excluded by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), [s. 11\(2\)](#)
- C5** S. 84 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. 84 excluded (23.12.1999) by [S.S.I. 1999/203](#), [art. 17](#) (with [art. 30](#))
- C6** [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](#))
- C7** [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](#))

Changes to legislation:

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 84.