



# Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

## PART 5

### ENTAILS

#### **51 Compensation for expectancy or interest of apparent or other nearest heir in an entailed estate**

- (1) Where, immediately before the appointed day—
- (a) land is held under an entail; and
  - (b) the consent of a person who is an apparent or other nearest heir is required to any petition for authority of the court for the purpose of presenting an instrument of disentail,
- the valuation of any expectancy or interest of the person, which on his refusal to give such consent would fall, before the appointed day, to be ascertained under section 13 of the Entail (Scotland) Act 1882 (c.53) may, within two years after the appointed day, be referred by him to, and determined by, the Lands Tribunal.
- (2) The Tribunal shall direct that any sum ascertained by them in a valuation by virtue of subsection (1) above shall be secured on the land, for the benefit of the person, in such manner as they think fit.

**Changes to legislation:**

Abolition of Feudal Tenure etc. (Scotland) Act 2000, Section 51 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18C(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 18C(3) words repealed by [2004 asp 7 sch. 2](#)