



# Entail Amendment Act

1853 CHAPTER 94 16 and 17 Vict

- 10 Where, at passing of this Act, entailed estates may be sold under judicial authority, parties entitled to sell may make application to the Court, in form prescribed by recited Act.**

Where at the date of the passing of this Act any entailed estate in Scotland may be sold and disposed of, in whole or in part, under judicial authority, in virtue of the provisions of any special Act of Parliament, or otherwise, it shall be competent for any party entitled to sell or dispose of such entailed estate in whole or in part as aforesaid to make application to the Court in the form and manner prescribed by the said recited Act with reference to applications under the said recited Act, and with such consents, if any, as may be requisite to such sale and disposal in terms of such special Act of Parliament, or otherwise, and without any other consents, in order to obtain the authority of the Court to sell and dispose of such entailed estate, in whole or in part; and the Court shall, under such application, grant warrant for and authorize the sale of such entailed estate, in whole or in part, as the case may be, upon such reasonable advertisement and on such terms and conditions as the Court may deem proper in the circumstances, without regard to any forms of procedure prescribed by such special Act of Parliament, or otherwise: and all sales and conveyances which may be made and granted under any such application as aforesaid shall be equally valid and effectual in all respects as if made under such special Act of Parliament or otherwise, and according to the forms which, if this Act had not been passed, it would have been necessary to follow.

**Changes to legislation:**

Entail Amendment Act, Section 10 is up to date with all changes known to be in force on or before 16 September 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](#)

**Commencement Orders yet to be applied to the Entail Amendment Act**

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2003/456 art. 2](#) commences (2000 asp 5)