



Entail Amendment Act

1853 CHAPTER 94 16 and 17 Vict

5 Conveyances, excambions, &c. may be made, and the authority of the Court afterwards interponed.

It shall be lawful for any heir of entail who is or shall be in a position to sell, alienate, dispoise, charge with debts or incumbrances, lease, feu, or excamb his entailed estate, in whole or in part, under the provisions of the said recited Act, to execute without the previous sanction of the Court a deed of conveyance or contract of excambion, or other deed for giving effect to such sale, disposition, charge, lease, feu, or excambion, and to produce such executed deed either along with an application to the Court for its sanction thereto, or at any time in the course of the proceedings under such application when he shall think fit or when such production shall be ordered by the Court; and on such application being presented, and such consents, if any, as are required by the said recited Act being obtained, containing express consent to and approval of such deed of conveyance or contract of excambion or other deed executed as aforesaid, and on the Court being satisfied that the procedure is regular, and in conformity with the provisions of the said recited Act and of this Act, the Court shall pronounce an interlocutor approving of such sale, disposition, charge, lease, feu, or excambion, as the case may be, and of the deed executed as aforesaid for carrying the same into effect; and thereupon such deed shall have the same force and effect in every respect as if the same had been made and executed at the sight of the Court, in terms of the said recited Act.

Changes to legislation:

Entail Amendment Act, Section 5 is up to date with all changes known to be in force on or before 24 August 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 \(2000 asp 5\)](#)