



New Parishes (Scotland) Act 1844

1844 CHAPTER 44 7 and 8 Vict

3 Non-consent of heritors not to be deemed valid objection to process for disjoining parishes.

It shall not be a valid objection to the competency of any process which shall be brought for disjoining or dividing a parish or parishes and erecting a new kirk or kirks, under the provisions of the said recited Act as altered and amended by this Act, that the consent of the heritors or a major part of the valuation of the parish to be disjoined or divided had not been given previous to such process having been brought into court; and it shall be lawful for the lords of council and session before whom any such process shall have been brought to appoint special intimation thereof to be made, in such form and manner as the said lords of council and session shall direct, to such of the heritors of the valuation of the parish as shall not have already either given their consent or judicially stated their dissent, and to sist proceedings in such process for a definite time, for the purpose of allowing such heritors to state judicially their consent or their dissent; and such of them as shall not within a time to be fixed by the said lords of council and session, and to be specified in such intimation as aforesaid, judicially state their dissent, shall, in computing the statutory proportion of consents, be reckoned as consenting heritors.

Changes to legislation:

New Parishes (Scotland) Act 1844, Section 3 is up to date with all changes known to be in force on or before 27 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](#)

Commencement Orders yet to be applied to the New Parishes (Scotland) Act 1844

Commencement Orders bringing legislation that affects this Act into force:

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