



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Lands subject to leases

114 Compensation to be made to tenants for a year, &c.

If any such lands shall be in the possession of any person having no greater interest therein than as tenant for a year or from year to year, and if such person be required to give up possession of any lands so occupied by him before the expiration of his term or interest therein, he shall be entitled to compensation for the value of his unexpired term or interest in such lands, and for any just allowance which ought to be made to him by any incoming tenant, and for any loss or injury he may sustain, or if a part only of such lands be required, compensation for the damage done to him [^{F1}by severing] lands held by him, or otherwise injuriously affecting the same; and the amount of such compensation shall be determined by the sheriff, in case the parties differ about the same; and upon payment or tender of the amount of such compensation all such persons shall respectively deliver up to the promoters of the undertaking, or to the person appointed by them to take possession thereof, any such lands in their possession required for the purposes of the special Act.

Textual Amendments

- F1** Words in s. 114 substituted (25.9.1991) by [Planning and Compensation Act 1991](#) (c. 34, SIF 28:2), s. 79, [Sch. 17 Pt. 1 para. 1](#) (with s. 84(5)); S.I. 1991/2092, [art. 3](#)

Modifications etc. (not altering text)

- C1** S. 114 modified by [Agriculture \(Miscellaneous Provisions\) Act 1968](#) (c. 34), s. 14(3), [Sch. 4 paras. 4, 5](#)
- C2** S. 114 applied with modifications by [Gas Act 1972](#) (c. 60, SIF 44:2), s. 6(5), [Sch. 2 para. 28](#)
- C3** S. 114 modified by [Land Compensation \(Scotland\) Act 1973](#) (c. 56, SIF 28:2), [ss. 43\(1\), 53\(1\), 55\(2\)\(a\), 56\(2\)\(a\), \(8\), 57\(3\), 58\(3\)](#), and [Sch. 1](#)
- C4** S. 114 incorporated by [Offshore Petroleum Development \(Scotland\) Act 1975](#) (c. 8, SIF 86), [s. 12\(2\)](#)

Changes to legislation: There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 114. (See end of Document for details)

- C5** S. 114 excluded by Offshore Petroleum Development (Scotland) Act 1975 (c. 8, SIF 86), s. 1, **Sch. 2 para. 2(2)**
- C6** S. 114 modified by Gas Act 1986 (c. 44, SIF 44:2), s. 9(3), **Sch. 3 Pt. III para. 26**
- C7** S. 114 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)

Changes to legislation:

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 114.