



Entail Amendment Act

1853 CHAPTER 94 16 and 17 Vict

4 Instruments of disentail may be executed, and the sanction and authority of the Court to record the same afterwards applied for.

It shall be lawful for any heir of entail who is or shall be in a position to obtain his lands disentailed under the provisions of the said recited Act to execute an instrument of disentail thereof without the previous sanction of the Courts, and to produce such executed instrument of disentail either along with an application to the Court for authority to record such instrument of disentail in the register of tailzies, 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 the whole provisions of the said recited Act with reference to applications to the Court by the said recited Act authorized shall be applicable and apply to such applications as aforesaid, and to all applications under this Act; and on such application being presented, and such consents, if any, as are required by the said recited Act being obtained, 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 grant warrant for recording such instrument of disentail in the register of tailzies; and such instrument of disentail, when so recorded, shall have the like effect and the like privileges in all respects as any instrument of disentail duly recorded under the provisions of the said recited Act.

Changes to legislation:

Entail Amendment Act, Section 4 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)