



# Railways Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 33 8 and 9 Vict

<sup>x1</sup>*Working of mines*

**75 and also for any airway or other work made necessary by the railway.**

If any loss or damage is sustained by the owner, lessee, or occupier of the land over any specified minerals (not being the owner or lessee of the specified minerals) by reason of the making of such airway or other authorised work as aforesaid, where neither that work nor any like work, would have been necessary save on account of the prevention of the working of the minerals, the company shall make full compensation to such owner, lessee, or occupier of the surface for the loss or damage sustained by him, such compensation in default of agreement to be determined by arbitration.

---

**Modifications etc. (not altering text)**

- C1** S. 75 incorporated (S.) (27.5.1997) by 1997 c. 8, ss. 188(2), 278(2)  
S. 75 applied (with modifications) (S.) (27.5.1997) by 1997 c. 9, ss. 47(2)(3), 83(2) (with s. 45(4))  
S. 75 incorporated (S.) (17.7.1995) by 1994 c. 39, s. 98(2)(a); S.I. 1995/1898, art. 2
- C2** Ss. 70–76 applied by Enterprise and New Towns (Scotland) Act 1990 (c. 35, SIF 64), s. 36(3)

**Changes to legislation:**

There are currently no known outstanding effects for the Railways Clauses Consolidation (Scotland) Act 1845, Section 75.