



Land Compensation Act 1973

1973 CHAPTER 26

PART I

COMPENSATION FOR DEPRECIATION CAUSED BY USE OF PUBLIC WORKS

11 Interests acquired by inheritance

- (1) So much of section 2(1) above as requires an interest qualifying for compensation under this Part of this Act to have been acquired by the claimant before the relevant date shall not apply to any interest acquired by him by inheritance from a person who acquired that interest, or a greater interest out of which it is derived, before the relevant date.
- (2) For the purposes of this section an interest is acquired by a person by inheritance if it devolves on him by virtue only of testamentary dispositions taking effect on, or the law of intestate succession or the right of survivorship between joint tenants as applied to, the death of another person or the successive deaths of two or more other persons.
- (3) For the purposes of subsection (2) above a person who acquires an interest by appropriation of it in or towards satisfaction of any legacy, share in residue or other share in the estate of a deceased person shall be treated as a person on whom the interest devolves by direct bequest.
- (4) Where an interest is settled land for the purposes of the Settled Land Act 1925 and on the death of a tenant for life within the meaning of that Act a person becomes entitled to the interest in accordance with the settlement, or by any appropriation by the personal representatives in respect of the settled land, subsection (2) above shall apply as if the interest had belonged to the tenant for life absolutely and the trusts of the settlement taking effect after his death had been trusts of his will.
- (5) Subsection (4) above shall apply, with any necessary modifications, where a person becomes entitled to an interest on the termination of a settlement as it would apply if he had become entitled in accordance with the terms of the settlement.
- (6) In the application of this section to Scotland—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (2), for the words from " testamentary " to " tenants " there shall be substituted the words—
 - “(a) a testamentary disposition or any other deed with testamentary effect taking effect on, or
 - (b) the law of intestate succession”;
- (b) in subsection (3), for the words " by appropriation of it in or towards " there shall be substituted the words " in satisfaction or in partial ";
- (c) subsections (4) and (5) shall be omitted.