



# Commissioners Clauses Act 1847

1847 CHAPTER 16 10 and 11 Vict

## *Contracts*

### **59 As to the conveyance of lands by the commissioners. Receipt under seal to be a sufficient discharge.**

Where by the special Act or any Act incorporated therewith the commissioners are authorized or required to sell or convey any lands vested in them, and no other mode of conveyance is provided, they may convey such lands, or such interest as the commissioners have therein, by deed under the common seal of the commissioners, if they be a corporation, or, if not a corporation, by deed executed by the commissioners, or any two of them acting by the authority of and on behalf of the commissioners; and a deed so executed, followed as to lands in Scotland by infektment duly recorded, shall be effectual to vest the lands comprised therein, or such interest as the commissioners have therein, in the grantee or other person to whom the same shall be so conveyed; and a receipt under such common seal, or under the hands of two of the commissioners acting as aforesaid, shall be a sufficient discharge to the purchaser of any such lands for the purchase money in such receipt expressed to be received.

[<sup>F1</sup>(2) This section shall apply to Scotland as if—

(a) for the words from “by deed under” to “recorded” there were substituted the words—

“by a document—

(a) if they are a corporation, subscribed [<sup>F2</sup>in accordance with section 7 of, and paragraph 5 of Schedule 2 to,]<sup>F2</sup> or authenticated in accordance with] the Requirements of Writing (Scotland) Act 1995;

(b) if they are not a corporation, [<sup>F3</sup>subscribed in accordance with the said section 7]<sup>F3</sup> so subscribed or authenticated ] by the commissioners or any two of them acting by the authority of and on behalf of the commissioners;

and a document so subscribed<sup>F4</sup>, followed by infektment duly recorded]<sup>F4</sup> or authenticated, duly registered in the Land Register of Scotland ],”;

(b) for the words from “under such” to “acting” there were substituted the [<sup>F5</sup>word “subscribed”]<sup>F5</sup> the words “subscribed or authenticated” ].]

*Status: Point in time view as at 26/11/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Commissioners Clauses Act 1847, Section 59. (See end of Document for details)*

### Textual Amendments

- F1** S. 59(2) added (S.) (1.8.1995) by virtue of 1995 c.7, ss. 14(1), 15(2), **Sch. 4 para. 4** (with ss. 9(3)(5) (7), 13, 14(3))
- F2** Words in s. 59(2)(a) substituted (S.) (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, **Sch. 5 para. 2(2)(a)(i)** (with s. 121, Sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F3** Words in s. 59(2)(a) substituted (S.) (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, **Sch. 5 para. 2(2)(a)(ii)** (with s. 121, Sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F4** Words in s. 59(2)(a) substituted (S.) (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, **Sch. 5 para. 2(2)(a)(iii)** (with s. 121, Sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F5** Words in s. 59(2)(b) substituted (S.) (8.12.2014) by Land Registration etc. (Scotland) Act 2012 (asp 5), ss. 122, 123, **Sch. 5 para. 2(2)(b)** (with s. 121, Sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2

### Modifications etc. (not altering text)

- C1** S. 59 incorporated (E.W.S) (18.6.2001) by S.I. 2001/2184, **art. 2**  
S. 59 incorporated (E.W.S) (18.6.2001) by S.I. 2001/2185, **art. 2**  
S. 59 incorporated (with modifications) (7.1.2003) by 2002 c. v, **s. 3(3)(4)** (with s. 23)
- C2** Ss. 58-60 incorporated (with modifications) (E.W.S.) (29.12.2007) by Maryport Harbour Revision Order 2007 (S.I. 2007/3463), arts. 1(1), **3(3)**, 3(4) (with arts. 78, 80, 81)
- C3** Ss. 58-60 incorporated (1.6.2009) by Berwick Upon Tweed Harbour Revision (Constitution) Order 2009 (S.I. 2009/1231), arts. 1(1), **2**
- C4** Ss. 36-92 incorporated (E.W.S.) (21.5.2010) by The Newlyn Pier and Harbour Revision (Constitution) Order 2010 (S.I. 2010/1462), arts. 1(1), **3**
- C5** Ss. 58-60 incorporated (S.) (18.11.2010) by The St. Andrews Harbour Revision (Constitution) Order 2010 (S.S.I. 2010/403), arts. 1(1), **3(1)**
- C6** Ss. 58-60 incorporated (S.) (5.6.2014) by The Pennan Harbour Revision Order 2014 (S.S.I. 2014/158), arts. 1(1), **3(1)**
- C7** Ss. 58-64 incorporated (with modifications) (E.W.S.) (1.11.2015) by The Great Yarmouth Port Authority (Constitution) Harbour Revision Order 2015 (S.I. 2015/1395), arts. 1(3), 2, **3** (with Sch. 3)

**Status:**

Point in time view as at 26/11/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Commissioners Clauses Act 1847, Section 59.