



Railways Clauses Consolidation Act 1845

1845 CHAPTER 20 8 and 9 Vict

Temporary use of lands

43 Compensation to be made for temporary occupation.

In any of the cases aforesaid, where the company shall not be required to purchase such lands, and in all other cases where they shall take temporary possession of lands by virtue of the powers herein or in the special Act granted, it shall be incumbent on the company, within one month after their entry upon such lands, upon being required so to do, to pay to the occupier of the said lands the value of any crop or dressing that may be thereon, as well as full compensation for any other damage of a temporary nature which he may sustain by reason of their so taking possession of his lands, and shall also from time to time during their occupation of the said lands pay half yearly to such occupier, or to the owner of the lands, as the case may require, a rent to be fixed by two justices in case the parties differ, and shall also within six months after they shall have ceased to occupy the said lands, and not later than six months after the expiration of the time by the special Act limited for the completion of the railway, pay to such owner and occupier, or deposit in the Bank for the benefit of all parties interested, as the case may require, compensation for all permanent or other loss, damage or injury that may have been sustained by them by reason of the exercise, as regards the said lands, of the powers herein or in the special Act granted, including the full value of all clay, stone, gravel, sand, and other things taken from such lands.

Modifications etc. (not altering text)

C1 Ss. 30-44 incorporated (with modifications) (9.10.1997) by S.I. 1997/2534, arts. 3(1)(3), 10(5)

Changes to legislation:

There are currently no known outstanding effects for the Railways Clauses Consolidation Act 1845, Section 43.