

*These notes relate to the Abolition of Feudal Tenure etc. (Scotland)
Act 2000 (asp 5) which received Royal Assent on 14 July 2000*

ABOLITION OF FEUDAL TENURE ETC. (SCOTLAND) ACT 2000

EXPLANATORY NOTES

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Commentary on Sections

Part 1: Abolition of Feudal Tenure

Section 2: Consequences of abolition

22. *Section 2* converts land held under feudal tenure into simple ownership of the land.
23. *Subsection (1)* makes it clear that those who hold land as vassals under the feudal system, and are technically said to own the ‘dominium utile’, will automatically become owners of that land at the date of abolition. Abolition of the feudal system will not affect non-feudal real burdens and property will remain subject to planning, environmental and any other applicable law.
24. *Subsection (2)* abolishes all feudal superiorities and mid-superiorities, including the paramount superiority of the Crown. The prerogative rights and powers of the Crown as Sovereign or Head of State are not affected (see section 58).
25. *Subsection (3)* prohibits the creation of any new feus after the date of abolition.