



Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

PART 2

LAND TRANSFERS ETC. ON AND AFTER APPOINTED DAY

4 Ownership of land

- (1) Ownership of land shall pass—
 - (a) in a case where a transfer is registrable under section 2 of the Land Registration (Scotland) Act 1979 (c.33), on registration in the Land Register of Scotland;
 - (b) in any other case, on recording of a conveyance of the land in the Register of Sasines.
- (2) This section is without prejudice to any other enactment, or rule of law, by or under which ownership of land may pass.
- (3) In subsection (1) above—
 - (a) “conveyance” includes—
 - (i) conveyance by, or under, any enactment, rule of law or decree; and
 - (ii) a notice of title deducing title through a conveyance; and
 - (b) “registrable” and “registration” have the meanings respectively assigned to those expressions by section 1(3) of the Land Registration (Scotland) Act 1979 (c.33).

5 Form of application for recording deed in Register of Sasines

- (1) Any application for the recording of a deed in the Register of Sasines shall be made by, or on behalf of, the person in whose favour the deed is granted; and it shall not be necessary to endorse on any deed a warrant of registration.
- (2) The Scottish Ministers may, after consultation with the Lord President of the Court of Session, make rules—
 - (a) prescribing the form to be used for the purposes of subsection (1) above; and

Status: Point in time view as at 28/11/2004.

Changes to legislation: Abolition of Feudal Tenure etc. (Scotland) Act 2000, PART 2 is up to date with all changes known to be in force on or before 27 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) regulating the procedure relating to applications for recording.

6 Deduction of title for unregistered land etc.

In respect of any land—

- (a) a real right in which has never been registered in the Land Register of Scotland;
and
- (b) title to which has never been constituted by the recording of a deed in the Register of Sasines,

title may be deduced from any person having ownership of the land.

Status:

Point in time view as at 28/11/2004.

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