



Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

PART 3

FEUDUTIES

Arrears

13 Arrears of feuduty etc

- (1) Feuduty shall continue to be exigible for any period before the appointed day; and if (in so far as so exigible) it has not fallen due before that day, it shall fall due on that day.
- (2) On the appointed day feuduty shall cease to constitute a *debitum fundi* as shall any amount secured, in favour of a superior, by virtue of section 5 of the Land Tenure Reform (Scotland) Act 1974 (c. 38) (redemption on transfer of land).
- (3) The superior's hypothec is, on the appointed day, abolished.
- (4) Subsections (2) and (3) above are without prejudice to any—
 - (a) action—
 - (i) founded on a *debitum fundi* or superior's hypothec; and
 - (ii) commenced before the appointed day; or
 - (b) right or preference—
 - (i) so founded; and
 - (ii) claimed in a sequestration, or in some other process in which there is ranking, commenced before that day.