



# Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

## PART 5

### ENTAILS

#### **50 Disentailment on appointed day**

- (1) Land which, immediately before the appointed day, is held under an entail is disentailed on that day.
- (2) Section 32 of the Entail Amendment Act 1848 (c. 36) (which makes provision as respects an instrument of disentail executed and recorded under that Act) shall apply to the effect of disentailment by subsection (1) above as that section applies to the effect of such an instrument so executed and recorded.

#### **51 Compensation for expectancy or interest of apparent or other nearest heir in an entailed estate**

- (1) Where, immediately before the appointed day—
  - (a) land is held under an entail; and
  - (b) the consent of a person who is an apparent or other nearest heir is required to any petition for authority of the court for the purpose of presenting an instrument of disentail,

the valuation of any expectancy or interest of the person, which on his refusal to give such consent would fall, before the appointed day, to be ascertained under section 13 of the Entail (Scotland) Act 1882 (c. 53) may, within two years after the appointed day, be referred by him to, and determined by, the Lands Tribunal.

- (2) The Tribunal shall direct that any sum ascertained by them in a valuation by virtue of subsection (1) above shall be secured on the land, for the benefit of the person, in such manner as they think fit.

**52      Closure of Register of Entails**

The Keeper of the Registers of Scotland shall, immediately before the appointed day, close the Register of Entails; and as soon as is practicable thereafter, he shall transmit that register to the Keeper of the Records of Scotland for preservation.