
Changes to legislation: Abolition of Feudal Tenure etc. (Scotland) Act 2000, Cross Heading: is up to date with all changes known to be in force on or before 25 May 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) [View outstanding changes](#)

SCHEDULE 7 FORM OF NOTICE INTIMATING APPLICATION TO LANDS TRIBUNAL UNDER SECTION 20(1)

Explanatory Note

(This explanation has no legal effect) This notice is sent by your feudal superior. In this notice your property (or some part of it) is referred to as the “prospective servient tenement” and the superior’s property is referred to as the “prospective dominant tenement”.

At present the use of your property is subject to certain burdens and conditions enforceable by the feudal superior. The feudal system is shortly to be abolished. The feudal superior cannot satisfy any of the conditions in section 18(7) of the Abolition of Feudal Tenure etc. (Scotland) Act 2000 but is applying to the Lands Tribunal for Scotland to be allowed the right to continue to enforce the burdens and conditions, not as superior but in his capacity of owner of the prospective dominant tenement. The Lands Tribunal’s order, if it is registered in the Land Register or Register of Sasines under section 20 of the 2000 Act, would allow him and his successors, as such owners, to enforce the burdens and conditions after the feudal system is abolished. He claims that there would be substantial loss or disadvantage to him as owner of the prospective dominant tenement were the real burden to be extinguished or no longer to be enforceable by him.

You may oppose his application to the Tribunal and in doing so may be eligible for Legal Aid. You would not ordinarily have to meet the superior’s expenses. You are advised to consult your solicitor or other adviser if you wish to consider opposing the application or if you think that there is a mistake in this notice.

The effect of the superior registering this notice will be that the burdens and conditions to which the notice relates will continue to be burdens and conditions (though, after the feudal system is abolished, non-feudal burdens and conditions) until the order made by the Lands Tribunal in respect of the application is registered as mentioned above unless the order is registered before the feudal system is abolished in which case until the feudal system is abolished (or, if there is no such registration at all, until a date specified by the Scottish Ministers) at which time the burdens and conditions would either be saved as non-feudal burdens and conditions or would be extinguished because the superior had been unsuccessful in his application.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18C(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 18C(3) words repealed by [2004 asp 7 sch. 2](#)