



Title Conditions (Scotland) Act 2003

2003 asp 9

PART 3

CONSERVATION AND OTHER PERSONAL REAL BURDENS

Conservation burdens

41 Completion of title

Where the holder of a conservation burden does not have a completed title—

- (a) title may be completed by the holder registering a notice of title; or
- (b) without completing title, the holder may grant—
 - (i) under section 39 of this Act, a deed assigning the right to the burden; or
 - (ii) under section 48 of this Act, a deed discharging, in whole or in part, the burden,

but unless the deed is one to which section [F1 101 of the Land Registration etc. (Scotland) Act 2012 (asp 5)] (circumstances where unnecessary to deduce title) applies, it shall be necessary, in the deed, to deduce title to the burden through the midcouples linking the holder to the person who had the last completed title.

Textual Amendments

- F1** Words in s. 41(b) substituted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, [sch. 5 para. 43\(3\)](#) (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Title Conditions (Scotland) Act 2003, Section 41.