

*These notes relate to the Title Conditions (Scotland) Act
2003 (asp 9) which received Royal Assent on 3 April 2003*

TITLE CONDITIONS (SCOTLAND) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7: Servitudes

Section 77: Positive servitude of leading pipes etc. over or under land

320. There has been a doubt over whether a right to lead a pipe, cable, wire or other such enclosed unit over land could be constituted as a positive servitude. *Section 77* deems this always to have been the case. Pipeline servitude is to be included in the fixed list of servitudes.