

2023 No. 278

TITLE CONDITIONS

**The Title Conditions (Scotland) Act 2003 (Conservation Bodies
and Rural Housing Bodies) (Miscellaneous Amendment) Order
2023**

Made - - - - 28th September 2023

Laid before the Scottish Parliament 2nd October 2023

Coming into force - - 29th November 2023

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 38(4) and 43(5) of the Title Conditions (Scotland) Act 2003(a) and all other powers enabling them to do so.

They are satisfied as to the matters mentioned in sections 38(5) and 43(6)(b) of that Act.

Citation and commencement

1. This Order may be cited as the Title Conditions (Scotland) Act 2003 (Conservation Bodies and Rural Housing Bodies) (Miscellaneous Amendment) Order 2023 and comes into force on 29 November 2023.

Amendment of the list of prescribed conservation bodies

2.—(1) Part 2 of the schedule of the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003(c) (conservation bodies prescribed under section 38(4) of the Title Conditions (Scotland) Act 2003) is amended as follows.

(2) After “The John Muir Trust” insert—

“The Lifescape Project Limited”.

Amendment of the list of prescribed rural housing bodies

3.—(1) The schedule of the Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Order 2004(d) (rural housing bodies prescribed under section 43(5) of the Title Conditions (Scotland) Act 2003) is amended as follows.

(a) 2003 asp 9.

(b) Section 43(6) was amended by section 25 of, and paragraph 12(b) of schedule 4 of the Tenements (Scotland) Act 2004 (asp 11).

(c) S.S.I. 2003/453, amended by S.S.I. 2003/621, S.S.I. 2004/400, S.S.I. 2006/110, S.S.I. 2006/130, S.S.I. 2007/533, S.S.I. 2008/217, S.S.I. 2012/30, S.S.I. 2013/289, S.S.I. 2015/239 and S.S.I. 2016/371.

(d) S.S.I. 2004/477, amended by S.S.I. 2006/108, S.S.I. 2007/58; S.S.I. 2007/535, S.S.I. 2008/391, S.S.I. 2013/100, S.S.I. 2014/130, S.S.I. 2014/220, S.S.I. 2017/7, S.S.I. 2017/301 and S.S.I. 2019/172.

- (2) After “Albyn Housing Society Limited” insert—
“Argyll and Bute Council”.
- (3) After “Fyne Initiatives Limited” insert—
“Hebridean Housing Partnership Limited”.
- (4) After “Tighean Innse Gall Limited” insert—
“Urras Oighreachd Ghabhsainn”.

St Andrew’s House,
Edinburgh
28th September 2023

SIOBHIAN BROWN
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order amends the list of prescribed conservation bodies in the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2004 to include the Lifescape Project Limited. Conservation bodies are bodies in favour of whom it is competent to create a conservation burden under section 38(1) of the Title Conditions (Scotland) Act 2003.

Article 3 of this Order amends the list of prescribed rural housing bodies in the Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Order 2004 to include Argyll and Bute Council, Hebridean Housing Partnership Limited and Urras Oighreachd Ghabsainn (also known as the Galson Estate Trust). Rural housing bodies are bodies in favour of which it is competent to create a rural housing burden comprising a right of pre-emption under section 43(1) of the Title Conditions (Scotland) Act 2003.

A Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government, Civil Law and Legal System Division, GW. 15, St Andrew's House, Regent Road, Edinburgh, EH1 3DG.

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