



# Conveyancing and Feudal Reform (Scotland) Act 1970

## 1970 CHAPTER 35

### PART VI

#### GENERAL

#### 51 Application to Crown.

This Act shall, subject to any exceptions stated therein, apply to land [<sup>F1</sup>owned by the Crown or by] the Prince and Steward of Scotland, and to land in which there is any other interest belonging to Her Majesty in right of the Crown or to a Government department, or held on behalf of Her Majesty for the purposes of a Government department, in like manner as it applies to other land.

#### Textual Amendments

**F1** Words in s. 51 substituted (28.11.2004) by 2000 asp 5, ss. 76(1), 77(2)(c), sch. 12 Pt. 1 para. 30(21) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

#### 52 Saving, amendment and repeal.

- (1) Any procedure, notice, advertisement, certificate or warrant instituted, given or granted, or any other thing done under any enactment amended or disappplied by this Act, shall not be invalidated by the coming into force of that amendment or disapplication, but it and any sale or other proceedings dependent thereon shall have effect as if this Act had not come into operation.
- (2) The enactments specified in Schedule 10 to this Act shall have effect subject to the amendments specified in that Schedule, being minor amendments and amendments consequential on the provisions of this Act.

**Changes to legislation:** *Conveyancing and Feudal Reform (Scotland) Act 1970, Part VI is up to date with all changes known to be in force on or before 11 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*

- (3) The enactments specified in Schedule 11 to this Act are hereby repealed to the extent specified in relation thereto in that Schedule.

**Modifications etc. (not altering text)**

- C1** The text of ss. 2(7), 36, 37, 39, 46, 50, 52(2)(3), Sch. 10 paras. 1, 2–4, 5 and Sch. 11 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**53 Interpretation.**

- (1) It shall be sufficient compliance with any provisions in this Act which require any deed, notice, certificate or procedure to be in conformity with a Form or Note, or other requirement of this Act, that that deed, notice, certificate or procedure so conforms as closely as may be, and nothing in this Act shall preclude the inclusion of any additional matter which the person granting the deed or giving or serving the notice or giving the certificate or adopting the procedure may consider relevant.
- (2) In any Form prescribed by Schedules 2,4,5,6 and 9 to this Act, and in any Note to those Schedules, the expression “Register for” means the Register of Sasines appropriate for.
- (3) Any reference in this Act to any other enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment, including this Act.
- (4) In this Act, except Part II, unless the context otherwise requires—  
“conveyance”, “deed” and “instrument” have the meanings assigned to them in section 3 of the <sup>M1</sup>Titles to Land Consolidation (Scotland) Act 1868, section 3 of the <sup>M2</sup>Conveyancing (Scotland) Act 1874, and section 2 of the <sup>M3</sup>Conveyancing (Scotland) Act 1924;  
<sup>F2</sup>“duly registered or recorded” means registered in the Land Register of Scotland or recorded in the Register of Sasines;  
“Lands Tribunal” means the Lands Tribunal for Scotland;  
<sup>F3</sup> .....  
“Register of Sasines” has the meaning assigned to it in section 2 of the Conveyancing (Scotland) Act 1924.

**Textual Amendments**

- F2** Words in s. 53(4) substituted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, [sch. 5 para. 17\(18\)](#) (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F3** S. 53(4): definition of "prescribed" repealed (28.11.2004) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 122(1), 128(2), 129(2), [sch. 15](#) (with ss. 119, 121); S.S.I. 2003/456, [art. 2](#)

**Marginal Citations**

- M1** 1868 c. 101.  
**M2** 1874 c. 94.  
**M3** 1924 c. 27.

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#### **54 Short title, commencement and extent.**

- (1) This Act may be cited as the Conveyancing and Feudal Reform (Scotland) Act 1970
- (2) This Act shall come into operation—
  - (a) except as respects sections 1 to 6, section 50, sections 51 to 53 in so far as they relate to those sections, and this section, at the expiration of a period of six months beginning with the date on which it is passed,
  - (b) as respects sections 1 to 6 and sections 51 to 53 in so far as they relate to those sections, on such date as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed for different provisions,
  - (c) as respects section 50, sections 51 to 53 in so far as they relate thereto, and this section, on the passing of this Act;and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any such order, be construed as a reference to the date on which that provision comes into operation.
- (3) This Act shall extend to Scotland only.

**Changes to legislation:**

Conveyancing and Feudal Reform (Scotland) Act 1970, Part VI is up to date with all changes known to be in force on or before 11 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.

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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. 1(2)(b)(c) inserted by [2000 asp 5 Sch. 12 para. 30\(2\)\(a\)\(iv\)](#) (This amendment has not been applied to legislation.gov.uk. Sch. 12 para. 30(2) repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121))
- s. 1(7) added by [2000 asp 5 Sch. 12 para. 30\(2\)\(c\)](#) (This amendment has not been applied to legislation.gov.uk. Sch. 12 para. 30(2) repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121))
- s. 9(2A) inserted by [2000 asp 5 s. 32](#) (This amendment has not been applied to legislation.gov.uk. S. 32 repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121) and word "32" in s. 77(2)(a) omitted (22.10.2003) by virtue of S.S.I. 2003/503, art. 5)
- s. 13A amendment to earlier affecting provision 2007 asp 3 s. 85 by [2012 asp 5 sch. 5 para. 52\(2\)](#)
- s. 24(1E) inserted by [2014 asp 18 sch. 5 para. 22](#)