



Land Tenure Reform (Scotland) Act 1974

1974 CHAPTER 38

PART IV

GENERAL

21 Provisions for contracting out to be void.

Subject to the provisions of [F¹ sections 8(3A), 8(6), 11(3) [F², 11(3A) and 11(3D)] of this Act, any agreement or other provision, however constituted, which is made after the commencement of this Act, shall be void in so far as it purports to exclude or limit the operation of any enactment contained in this Act.

Textual Amendments

- F1** Words in s. 21 substituted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\), s. 166\(2\), Sch. 2 para. 2; S.S.I. 2011/96, art. 2, Sch.](#)
- F2** Words in s. 21 substituted (1.10.2014) by [Housing \(Scotland\) Act 2014 \(asp 14\), ss. 93\(2\), 104\(2\)](#)

22 Application to Crown.

This Act shall apply to land ^{F3}... 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

- F3** Words in s. 22 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\), ss. 71, 77\(2\), Sch. 13 Pt. 1 \(with ss. 58, 62, 75\); S.S.I. 2003/456, art. 2](#)

23 Interpretation and repeals.

- (1) In this Act, unless the context otherwise requires—

Changes to legislation: There are currently no known outstanding effects for the Land Tenure Reform (Scotland) Act 1974, Part IV. (See end of Document for details)

“deed” has the meaning assigned to it in section 3 of the ^{M1}Titles to Land Consolidation (Scotland) Act 1868, section 3 of the ^{M2}Conveyancing (Scotland) Act 1874 and section 2 of the ^{M3}Conveyancing (Scotland) Act 1924;

“heritable security” (except in relation to sections 4(5), 5(10) and 10(2)) does not include any security for the purpose of securing the payment of a ^{F4}... periodical sum payable in respect of land, and “heritable creditors” shall be construed accordingly;

“land” has the meaning assigned to it in section 2 of the said Act of 1924.

- (2) Unless the context otherwise requires, 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.
- (3) The enactments specified in Schedule 7 to this Act are hereby repealed to the extent specified in relation thereto in that Schedule.

Textual Amendments

- F4** Words in s. 23(1) repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), **Sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Modifications etc. (not altering text)

- C1** The text of ss. 11(6), 13, 14, 19, 23(3) 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.

Marginal Citations

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

24 Short title, commencement and extent.

- (1) This Act may be cited as the Land Tenure Reform (Scotland) Act 1974.
- (2) This Act shall come into operation on 1st September 1974.
- (3) This Act shall extend to Scotland only.

Changes to legislation:

There are currently no known outstanding effects for the Land Tenure Reform (Scotland) Act 1974, Part IV.