

*Status: Point in time view as at 28/11/2004.*

*Changes to legislation: Abolition of Feudal Tenure etc. (Scotland) Act 2000, Paragraph 25 is up to date with all changes known to be in force on or before 27 September 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)*

## SCHEDULE 12 MINOR AND CONSEQUENTIAL AMENDMENTS

### PART 1

#### MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

##### *Land Compensation (Scotland) Act 1963 (c.51)*

- 25 (1) The Land Compensation (Scotland) Act 1963 shall be amended in accordance with this paragraph.
- (2) In section 10 (consolidation of proceedings on claims in respect of several interests in the same land), for the words “acquisition of the several interests” substitute “acquisition of several interests”.
- (3) In section 20 (consideration in respect of discharge of feu-duty etc.)—
- (a) in subsection (1), the words “the *dominium utile* in”, in both places where they occur, shall cease to have effect;
  - (b) in subsection (2), the words “feu-duty, or ground annual or other” and “(not being stipend or standard charge in lieu of stipend)” shall cease to have effect;
  - (c) in subsection (3), for the words “*dominium utile*” substitute “land”;
  - (d) in subsection (7), the words “*dominium utile* in any” shall cease to have effect; and
  - (e) in subsection (8), the words “the *dominium utile* in” shall cease to have effect.
- (4) In section 27(3) (application for certificate of alternative development), the words “and that interest is the *dominium utile* of the land,” “feu-duty or ground annual or other” and “(not being stipend or standard charge in lieu of stipend)” shall cease to have effect.
- (5) In section 28 (provisions as respect certain regulations under section 275(1)(c) of the Town and Country Planning (Scotland) Act 1997)—
- (a) in paragraph (e), the words “the *dominium utile* of” and, in both places where they occur, “feu-duty or”; and
  - (b) in paragraph (f), the words “the *dominium utile* of”, shall cease to have effect.
- (6) In section 32(6)(b) (provision for notification to planning authority in certain circumstances), for the words “*dominium utile*” substitute “ownership”.
- (7) In section 45 (interpretation)—
- (a) after subsection (1) insert—

“(1A) Any reference in this Act to an “interest” in land shall be construed as a reference to a right in land and as including a reference to ownership of land.”;
  - and
  - (b) subsections (8) and (9) shall cease to have effect.

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- (8) In Schedule 2 (acquisition of houses which do not meet the tolerable standard), in paragraph 2(2), the words “the superior of, and” shall cease to have effect.

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