

SCHEDULE 12 MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Land Registers (Scotland) Act 1868 (c. 64)

- 7 (1) The Land Registers (Scotland) Act 1868 shall be amended in accordance with this paragraph.
- (2) In section 3 (writs of each county to be kept separate in general register of sasines), for the words—
- (a) “warrant of registration herein-after provided for,” substitute “application for registration”; and
 - (b) “said warrant,” substitute “that application”.
- (3) In section 5 (registration of writ in other county to which it refers etc.)—
- (a) for the words from the beginning to “thereon applicable” substitute “Where any writ contains land or heritages in more than one county and application has not been made for registration in relation”;
 - (b) for the word “warrant”, where it occurs for the second time, substitute “application”;
 - (c) for the words “by a new warrant of registration thereon” substitute “for registration”;
 - (d) the words “in terms of such new warrant” shall cease to have effect; and
 - (e) for the words “such writ applies, and to which such new warrant is applicable” substitute “it applies”.
- (4) In section 6 (provision for writs transmitted by post to general register of sasines), the words “in terms of the warrant of registration thereon” shall cease to have effect.
- (5) In section 12 (registration in general register of sasines equivalent in certain cases to registration in the books of council and session)—
- (a) for the words from the beginning to “being so registered in the said register of sasines,” substitute—

“A writ competent to be registered in the general register of sasines need not be presented to be registered in the books of council and session for the purpose of—

 - (a) preservation; or
 - (b) preservation and execution.

If an application for registration of such a writ in the general register of sasines specifies that registration is for either of those purposes, then on registration in that register the writ shall be held to be registered also in the books of council and session for the purpose in question; and the writ registered”;

and
 - (b) the words “and shall be in the form, as nearly as may be, of the Schedule (B.) to this Act annexed,” shall cease to have effect.

Status: This is the original version (as it was originally enacted).

(6) Section 14 (certain clauses in entail no longer necessary) shall cease to have effect.