



# Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

## PART 6

### MISCELLANEOUS

#### *Miscellaneous*

#### **65 Creation of proper liferent**

- (1) A proper liferent over land is created—
  - (a) in a case where the right is registrable under section 2 of the Land Registration (Scotland) Act 1979 (c. 33)—
    - (i) (unless the deed granting or reserving the right makes provision for some later date) on registration; or
    - (ii) (where provision is made for such a date and the right has been registered) on that date; or
  - (b) in any other case—
    - (i) (unless the deed granting or reserving the right makes provision for some later date) on recording of the deed in the Register of Sasines; or
    - (ii) (where provision is made for such a date and such deed has been so recorded) on that date.
- (2) This section is without prejudice to any other enactment, or rule of law, by or under which a proper liferent over land may be created.
- (3) In subsection (1)(a) above, “registrable” and “registration” have the meanings respectively assigned to those expressions by section 1(3) of the Land Registration (Scotland) Act 1979 (c. 33).
- (4) The references, in subsection (1)(b) above, to a deed being recorded include references to a notice of title deducing title through a deed being recorded.