

Title Conditions (Scotland) Act 2003

2003 asp 9

PART 3

CONSERVATION AND OTHER PERSONAL REAL BURDENS

Maritime burdens

44 Maritime burdens

- (1) On and after the day on which this section comes into force, it shall be competent to create a real burden over the sea bed or foreshore in favour of the Crown for the benefit of the public; and any such burden shall be known as a “maritime burden”.
- (2) The right of the Crown to a maritime burden may not be assigned or otherwise transferred.
- (3) For the purposes of this section—
 - (a) “sea bed” means the bed of the territorial sea adjacent to Scotland; and
 - (b) “territorial sea” includes any tidal waters.