



# Title Conditions (Scotland) Act 2003

## 2003 asp 9

### PART 4

#### TRANSITIONAL: IMPLIED RIGHTS OF ENFORCEMENT

##### *New implied rights of enforcement*

#### **56 Facility burdens and service burdens**

- (1) Where by a deed registered before the appointed day—
  - (a) a facility burden is imposed on land, then—
    - (i) any land to which the facility is (and is intended to be) of benefit; and
    - (ii) the heritable property which constitutes the facility,shall be benefited properties in relation to the facility burden;
  - (b) a service burden is imposed on land, then any land to which the services are provided shall be a benefited property in relation to the service burden.
- (2) Subsection (1) above is subject to section 57 of this Act; and in paragraph (a) of that subsection “facility burden” does not include a manager burden.