



# Title Conditions (Scotland) Act 2003

## 2003 asp 9

### PART 7

#### SERVITUDES

##### *Transitional*

#### **81 Certain real burdens to become positive servitudes**

- (1) A real burden consisting of a right to enter, or otherwise make use of, the burdened property shall, on the appointed day, cease to exist as such but shall forthwith become a positive servitude.
- (2) Subsection (1) above—
  - (a) is subject to section 17(1) of the 2000 Act (extinction on appointed day of certain rights of superior);
  - (b) does not apply to real burdens such as are mentioned in section 2(3)(a) of this Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Title Conditions (Scotland) Act 2003, Section 81.