

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

## SCHEDULE

### CHURCH OF SCOTLAND (PROPERTIES AND INVESTMENTS)

#### PART IV

##### TRANSFERS TO INVESTORS TRUST AND TO GENERAL TRUSTEES, ETC.

###### *Transfers to General Trustees*

- 23 (1) In this section “title sheet” means a title sheet of an interest in land under section 6 of the Land Registration (Scotland) Act 1979.
- (2) Subject to the provisions of this Order all heritable property in Scotland vested in and held by the Trust immediately before the appointed day shall, by virtue of this Order, on that day be transferred to and vest in the General Trustees and all rights, obligations, claims and demands relative to the said heritable property including all accrued rents, income or interest and all arrears of rents, income or interest shall by virtue of this Order be deemed and taken to be validly transferred to and vested in the General Trustees.
- (3) For the purpose of enabling the General Trustees if thought fit to complete a title to any heritable property in Scotland or to any part thereof by—
- (a) expediting a notarial instrument or notice of title and recording the same in the appropriate division of the General Register of Sasines or by obtaining or granting a conveyance, assignation or transfer of such property and recording the same in like manner; or
  - (b) registering an interest in land in the Land Register of Scotland; or
  - (c) registering such amendment as is necessary to the title sheet of an interest in land registered in the Land Register of Scotland, this Order shall be deemed to be and may be used as a general disposition or assignation as the case may be of such heritable property in favour of the General Trustees.
- (4) In addition to the property transferred to the General Trustees by virtue of subsection (2) of this section, the General Trustees may hold any heritable property or moveable property held at the commencement of this Order or subsequently acquired—
- (a) by or on behalf of the Church or any presbytery of the Church, or any board or committee of the General Assembly or any association, fund or scheme of the Church; or
  - (b) by any trustee or body of trustees for behoof of or in connection with the Church or any court of the Church, board or committee of the General Assembly, association, fund or scheme of the Church or any congregation, financial board of a congregation, ecclesiastical body or organisation of the Church under any settlement or deed of trust, gift or appointment, whether granted inter vivos or mortis causa.
- (5) The property transferred to and vested in the General Trustees by virtue of subsection (2) of this section and any property held by them by virtue of subsection (4) of this section shall be held by the General Trustees for the same ends, uses and purposes as those for which they were held by the Trust or for which they are or may hereafter be held or acquired by the Church or any presbytery of the

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

Church, or any board or committee of the General Assembly or any association, fund or scheme of the Church, or by a trustee or body of trustees as aforesaid, prior to their being so transferred to the General Trustees where such ends, uses and purposes are expressed or defined and, failing such expression or definition, subject to the directions of the presbytery, board or committee, association, fund or scheme of the Church, or trustee or body of trustees as aforesaid, on whose behalf they were held or, failing such directions, then, with the exception of any property held by them by virtue of subsection (4) (b) of this section, subject to the directions of the General Assembly.