



Conveyancing and Feudal Reform (Scotland) Act 1970

1970 CHAPTER 35

PART II

THE STANDARD SECURITY

16 Variation of standard security.

- (1) Any alteration in the provisions (including any standard condition) of a standard security duly [^{F1}registered or] recorded, other than an alteration which may appropriately be effected by an assignation, discharge or restriction of that standard security, or an alteration which involves an addition to, or an extension of, the [^{F2}land or real right] in land mentioned therein, may be effected by a variation endorsed on the standard security in conformity with Form E of Schedule 4 to this Act, or by a variation contained in a separate deed in a form appropriate for that purpose, duly [^{F1}registered or recorded in either case.
- (2) Where a standard security has been duly [^{F3}registered or] recorded, but the personal obligation or any other provision (including any standard condition) relating to the security has been created or specified in a deed which has not been so [^{F4}registered or] recorded, nothing contained in this section shall prevent any alteration in that personal obligation or provision, other than an alteration which may be appropriately effected by an assignation, discharge or restriction of the standard security, or an alteration which involves an addition to, or an extension of, the [^{F2}land or real right] in land mentioned therein, by a variation contained in any form of deed appropriate for that purpose, and such a variation shall not require to be [^{F5}registered in the Land Register of Scotland or] recorded in the Register of Sasines.
- ^{F6}(3)
- (4) Any variation effected in accordance with this section shall not prejudice any other security or right over the same [^{F7}land or real right in land, or over] any part thereof, effectively constituted before the variation is [^{F8}registered or] recorded, or, where the

Changes to legislation: Conveyancing and Feudal Reform (Scotland) Act 1970, Section 16 is up to date with all changes known to be in force on or before 23 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

variation is effected by an [^{F9}unregistered or] unrecorded deed, before that deed is executed, as the case may be.]

Textual Amendments

- F1** Words in s. 16(1) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **sch. 5 para. 17(10)(a)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F2** Words in s. 16(1)(2) substituted (28.11.2004) by [2000 asp 5](#), ss. 76(1), 77(2)(c), **sch. 12 Pt. 1 para. 30(12)(a)** (with ss. 58, 62, 75); S.S.I. 2003/456, **art. 2**
- F3** Words in s. 16(2) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **sch. 5 para. 17(10)(b)(i)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F4** Words in s. 16(2) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **sch. 5 para. 17(10)(b)(ii)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F5** Words in s. 16(2) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **sch. 5 para. 17(10)(b)(iii)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F6** S. 16(3) repealed by [Finance Act 1971 \(c. 68\)](#), **Sch. 14**, pt. VI
- F7** Words in s. 16(4) substituted (28.11.2004) by [2000 asp 5](#), ss. 76(1), 77(2)(c), **sch. 12 Pt. 1 para. 30(12)(b)** (with ss. 58, 62, 75); S.S.I. 2003/456, **art. 2**
- F8** Words in s. 16(4) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **sch. 5 para. 17(10)(c)(i)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2
- F9** Words in s. 16(4) inserted (8.12.2014) by [Land Registration etc. \(Scotland\) Act 2012 \(asp 5\)](#), ss. 122, 123, **sch. 5 para. 17(10)(c)(ii)** (with s. 121, sch. 4 paras. 13, 16); S.S.I. 2014/127, art. 2

Modifications etc. (not altering text)

- C1** Ss. 14-30 applied (with modifications) (28.11.2004) by [2000 asp 5](#), **ss. 69**, 77(2)(a) (with ss. 58, 62, 75); S.S.I. 2003/456, **art. 2**

Changes to legislation:

Conveyancing and Feudal Reform (Scotland) Act 1970, Section 16 is up to date with all changes known to be in force on or before 23 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2)(b)(c) inserted by [2000 asp 5 Sch. 12 para. 30\(2\)\(a\)\(iv\)](#) (This amendment has not been applied to legislation.gov.uk. Sch. 12 para. 30(2) repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121))
- s. 1(7) added by [2000 asp 5 Sch. 12 para. 30\(2\)\(c\)](#) (This amendment has not been applied to legislation.gov.uk. Sch. 12 para. 30(2) repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121))
- s. 9(2A) inserted by [2000 asp 5 s. 32](#) (This amendment has not been applied to legislation.gov.uk. S. 32 repealed (4.4.2003) by 2003 asp 9, ss. 128, 129(5), Sch. 15 (with ss. 119, 121) and word "32" in s. 77(2)(a) omitted (22.10.2003) by virtue of S.S.I. 2003/503, art. 5)
- s. 13A amendment to earlier affecting provision 2007 asp 3 s. 85 by [2012 asp 5 sch. 5 para. 52\(2\)](#)
- s. 24(1E) inserted by [2014 asp 18 sch. 5 para. 22](#)