



Land Tenure Reform (Scotland) Act 1974

1974 CHAPTER 38

PART I

PROHIBITION OF FUTURE FEUDUTIES, AND REDEMPTION OF FEUDUTIES, ETC

7 Transitional and supplementary provisions relative to Part I

- (1) A deed executed after the commencement of this Act and before 8th November 1975 shall not be subject to the provisions of section 1, 2 or 3 of this Act if—
 - (a) the deed is granted in implement of an obligation entered into before 8th November 1973 by the person who, when the obligation was entered into, was the proprietor of the land subject to the deed ; and
 - (b) there is included in the deed or in a memorandum endorsed thereon a statement to that effect by or on behalf of the grantor of the deed, in or as nearly as may be in the form contained in Schedule 4 to this Act.
- (2) Where a deed, containing a provision which to any extent is void or unenforceable by virtue of section 1, 2 or 3 of this Act, has been recorded in the Register of Sasines, the person who granted the deed or his successor may be required, by any person having an interest, to grant any appropriate corrective deed capable of being recorded in the Register.
- (3) In this Part of this Act, unless the context otherwise requires—
 - " feu " includes blench holding and " feuduty " includes blench duty;
 - " land obligation " has the meaning assigned to it in section 1(2) of the Conveyancing and Feudal Reform (Scotland) Act 1970;
 - " proprietor ", in relation to land, includes a person having right to that land but whose title thereto is not complete, and, in the case of land subject to a heritable security constituted by ex facie absolute disposition, means the debtor in the security, except where the creditor is in possession of the land.