



# Conveyancing (Scotland) Act 1874

1874 CHAPTER 94 37 and 38 Vict

## 44 Provisions for the case of a person appointed by the court to administer a trust.

When a trust title [<sup>F1</sup>to land or to a real right in or over land] has been duly completed and recorded, and any person is subsequently appointed by the court to administer the trust in whole or in part as a trustee or judicial factor, the interlocutor whereby the appointment is made shall specify the trust deed, and the other title or titles (if any) by which the trust title had been completed as aforesaid, in such manner as to identify the same, and shall refer to the register or registers of sasines where such deed or title or titles is or are recorded, and also set forth the lands by description or reference; and an extract of such interlocutor, being recorded in the appropriate register of sasines, shall operate [<sup>F2</sup>to complete, ] in favour of the trustee or judicial factor thereby appointed, [<sup>F1</sup>title to the land or real right ] in the same manner as if he had been a trustee named in the completed and recorded title in conformity always with the nature and terms of the appointment, and to the effect of enabling him to perform the duties of the office to which he is appointed.

### Textual Amendments

- F1** Words in s. 44 inserted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 paras. 9\(12\)\(a\)](#), [Sch. 12 para. 9\(12\)\(c\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F2** Words in s. 44 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 paras. 9\(12\)\(b\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

### Modifications etc. (not altering text)

- C1** S. 44 amended by [Conveyancing \(Scotland\) Act 1924 \(c. 27\)](#), [s. 5\(3\)](#) (b); applied by [Conveyancing \(Scotland\) Act 1924 \(c. 27\)](#), [s. 24\(6\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Conveyancing (Scotland) Act 1874, Section 44.