



# Conveyancing and Feudal Reform (Scotland) Act 1970

## 1970 CHAPTER 35

### PART IV

#### OTHER CONVEYANCING REFORMS

#### **44 Alteration of rules as to probative deeds**

- (1) Subject to the provisions of subsection (2) of this section, where—
- (a) a conveyance, deed, instrument or writing, whether relating to land or not;
  - (b) an inventory, appendix, schedule, plan or other document annexed to such a conveyance, deed, instrument or writing,
- is subscribed and (where appropriate) sealed on the last page, it shall be no objection to its probative character that it is not subscribed or, as the case may be, subscribed and sealed on every other page.
- (2) Nothing in subsection (1) of this section shall affect the law relating to wills or other testamentary writings.

#### **45 Status of sasine extracts**

An extract, whether issued before or after the commencement of this Act, of a conveyance, deed, instrument or other document bearing to have been recorded in the Register of Sasines shall be accepted for all purposes as sufficient evidence of the contents of the original so recorded and of any matter relating thereto appearing on the extract.

#### **46 Effect of conditions as to pre-emption**

- (1) For the avoidance of doubt, in section 9 of the Conveyancing Amendment (Scotland) Act 1938 (which limits the effect of conditions as to pre-emption), subsection (1) shall have effect subject to the following amendments—

- (a) by inserting after the words " by the proprietor of the feu " the words " (whether or not that right purports to be exercisable on more than one occasion) " ; and
  - (b) by substituting for the words " intimate his intention to exercise such right of pre-emption " the words " accept the offer."
- (2) In the said subsection, for the reference to forty days there shall be substituted a reference to twenty-one days. to any subsequent transactions connected with that security, section 30(2) shall apply as it applies to Part II of this Act, and any reference to a security over land, however expressed, shall be construed as a reference to a registered lease subject to a security, and " land " shall be construed accordingly.

**47 Abolition of requirement to specify granter's title in certain deeds**

The provisions of Part I of Schedule 10 and Part I of Schedule 11 to this Act shall apply for the purpose of abolishing the requirement that in certain cases the granter of a deed who has a duly recorded title must specify his title in the deed.

**48 Abolition of forms of assignation of unrecorded conveyances, etc., and of completion of title by recording of such assignations**

The provisions of Part II of Schedule 11 to this Act shall apply for the purpose of repealing certain provisions for the assignation of unrecorded conveyances, deeds and leases and for the completion of title by assignees under such assignations by the recording of the conveyance, deed or lease together with the assignation.