



Conveyancing and Feudal Reform (Scotland) Act 1970

1970 CHAPTER 35

PART V

MISCELLANEOUS

49 Abolition of heritor's right of pre-emption of glebe

The obligation imposed upon the General Trustees by section 37 of the Church of Scotland (Property and Endowments) Act 1925 (powers of General Trustees), before selling or feuing a glebe or any part thereof, to give to the heritor or heritors whose lands adjoin such glebe or part an opportunity to purchase or take the same in feu, is hereby abolished.

In this section, " the General Trustees" has the meaning assigned to it in section 47 of the said Act.

50 Amendment of Lands Tribunal Act 1949

(1) In the Lands Tribunal Act 1949 (hereafter in this section called " the principal Act"), in section 2 (members, officers and expenses of Lands Tribunal), for paragraph (b) and (c) of subsection (9) there shall be substituted the following paragraph:—

“(b) for subsection (2), of the following subsection:—

“(2) The President shall be a person appearing to the Lord President of the Court of Session to be suitably qualified by the holding of judicial office or by experience as an advocate or solicitor, and of the other members of the Lands Tribunal such number as the Lord President of the Court of Session may determine shall be persons so qualified, and the others shall be persons who have had experience in the valuation of land appointed after consultation with the chairman of

Status: This is the original version (as it was originally enacted).

the Scottish Branch of the Royal Institution of Chartered Surveyors.””

(2) In section 3 of the principal Act (procedure, appeals, costs and fees), for paragraphs (a), (b) and (c) of subsection (12) there shall be substituted the following paragraphs:—

“(a) for subsection (4) of this section there shall be substituted the following subsection:—

“(4) Section 9 of the Tribunals and Inquiries Act 1958 (appeals from certain tribunals) shall apply, subject to the modifications specified in subsection (6) of that section, to proceedings before the Lands Tribunal as it applies to proceedings before the tribunals referred to in subsection (1) of that section.”.

(b) for paragraph (c) of subsection (6) of this section there shall be substituted the following paragraph:—

“(c) provide for requiring persons to attend to give evidence and produce documents, and for authorising the administration of oaths to witnesses, and for granting to any person such recovery of documents as might be granted by the Court of Session.”;

(c) any person who without reasonable excuse fails to comply with any requirement imposed by rules under this section in accordance with paragraph (c) of subsection (6) of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50 or imprisonment for a term not exceeding three months or both ;

(d) any order of the Tribunal may be recorded for execution in the Books of Council and Session and shall be enforceable accordingly ;

(e) the rule-making authority for the purposes of this Act shall be the Secretary of State.”.