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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 452**

**The Lands Tribunal for Scotland Rules 2003**

**PART I**

**APPLICATIONS UNDER THE ABOLITION OF  
FEUDAL TENURE ETC. (SCOTLAND) ACT 2000 AND  
THE TITLE CONDITIONS (SCOTLAND) ACT 2003**

*Taking effect of orders*

**6.—(1)** Subject to the provisions of paragraphs (2) and (3), an order made by the Tribunal in respect of applications under sections 90(1) (Power of Lands Tribunal as respects title conditions) or 91(1) (Special provision as to variation or discharge of community burdens) of the Act of 2003 shall take effect on the occurrence of whichever of the following events last occurs after the Tribunal has made the order:—

- (a) the expiry of a period of 21 days after the date when the order was made by the Tribunal;
- (b) the disposal by the Court of Session of a case stated by the Tribunal on appeal to that court or, if there is an appeal to the House of Lords, the disposal of the case by the House of Lords;
- (c) the abandonment or other termination of the proceedings on a case so stated without a decision having been given;
- (d) the abandonment or other termination of an appeal against the decision of the Court of Session on a case so stated or the expiry of the time for bringing any such appeal without it having been brought; or
- (e) the variation by the Tribunal of the order in compliance with any directions given by the Court of Session or the House of Lords in proceedings relating to such a case:

Provided that where the application is unopposed or all persons who have opposed or made representations in respect of the application have informed the Tribunal that they consent to the order taking effect immediately, and it is so certified in the order, such order shall take effect on the date on which it is made by the Tribunal.

(2) Where an obligation is varied or discharged subject to the payment of any compensation awarded by the Tribunal, the order of the Tribunal shall not, so far as it affects such variation or discharge, take effect until the Tribunal has endorsed the order to the effect either that the compensation has been paid or that all persons to whom any compensation has been awarded but who have not received payment of it have agreed to the order taking effect.

(3) The Tribunal may direct that the compensation shall be paid or satisfied within a specified time and that, unless it is so paid or satisfied, the order shall be void on the expiration of the time so specified.