
EXPLANATORY NOTE

(This note does not form part of the Order)

This Order appoints 28th November 2004 as the appointed day for the purposes of The Abolition of Feudal Tenure etc. (Scotland) Act 2000 (“the 2000 Act”). On the appointed day the feudal system of land tenure is abolished.

The following provisions of the 2000 Act come into force on the appointed day:–

- (a) sections 1 and 2, 4 to 13, 32, 35 to 37, 46, 50 and 51, 54 to 57, 59 to 61, 64, 65, 66, 68 to 70, 73, 75 and 76(1) (except in so far as relating to paragraph 30(23)(a) of schedule 12) and (2);
- (b) schedules 1 to 3;
- (c) subject to paragraph 46(3) of schedule 12, that schedule, except paragraph 30(23)(a); and
- (d) schedule 13.

The 2000 Act received Royal Assent on 9th June 2000. Sections 3, 14 to 16, 52, 53, 58, 67, 71, 72, 74, 76(1) as far as relating to paragraph 30(23)(a) of schedule 12, 76(3) and (4) and 77 and schedule 4 and paragraph 30(23)(a) of schedule 12 of the 2000 Act came into force on Royal Assent. Schedule 11A came into force on 4th April 2003 being the date on which section 114 and schedule 13 of the Title Conditions (Scotland) Act came into force.

This Order also sets the date on which many of the provisions of the Title Conditions (Scotland) Act 2003 will come into force in terms of section 129(2), read with section 122(1), of that Act. In terms of the Term and Quarter Days (Scotland) Act 1990 28th November is the term of Martinmas for the year 2004.