

EXECUTIVE NOTE

THE TITLE CONDITIONS (SCOTLAND) ACT 2003 (CONSERVATION BODIES) AMENDMENT ORDER 2012

SSI 2012/30

This Order is made in exercise of the power conferred on the Scottish Ministers by section 38(4) of the Title Conditions (Scotland) Act 2003. It is subject to negative parliamentary procedure.

Policy Objective

Section 38(4) of the Title Conditions (Scotland) Act 2003 grants Scottish Ministers the power to prescribe certain bodies to be conservation bodies. Bodies which are so prescribed may have conservation burdens created in their favour. Conservation burdens are conditions in the title deeds of property that ensure the preservation or protection of architectural, historical or other special characteristics of land for the benefit of the public. A conservation body is entitled to enforce conservation burdens created in its favour.

A list of prescribed conservation bodies is maintained in the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003. This Order amends the 2003 Order by replacing “The Trustees of the New Lanark Conservation Trust” with “New Lanark Trust” in part II of the Schedule.

The New Lanark Trust, which is constituted by trust deed, changed its name by deed of variation in January 2009. Although this amendment has been outstanding for some time this has not affected the work of the Trust.

Consultation

None required as this is only an amendment to the Trust’s name.

Regulatory Impact Assessment

None required as there is no impact on business.

Financial effects

The instrument has no financial effect on the Scottish Government, local government or on business.

Law Reform Division
Scottish Government
February 2012