

SCHEDULES

SCHEDULE 1

Section 4.

FORMS PRESCRIBED UNDER SECTION 4

FORM 1

FORM OF NOTICE PRESCRIBED UNDER SECTION 4 “NOTICE OF REDEMPTION

under section 4 of the Land Tenure Reform (Scotland) Act 1974
(right to redeem feuduty, ground annual, &c. on a term day).

[Address of person sending notice, and Date]

To *[name and address of superior, &c. or his agent]*

Take notice that, in terms of section 4 of the Land Tenure Reform (Scotland) Act 1974, I wish to redeem at the term of *[Whitsunday]* *[Martinmas]* *[year]* the *[feuduty]* *[ground annual]* *[or otherwise]* of *[amount]* per annum exigible in respect of *[give sufficient identification of the land in respect of which the payment to be redeemed is exigible]*.

(Signed) AB.

or CD,

Agent for AB.

FORM 2

FORM OF RECEIPT PRESCRIBED UNDER SECTION 4

I hereby acknowledge to have received from *[name of proprietor]* the sum of *[amount of redemption money]* in redemption (in terms of section 4 of the Land Tenure Reform (Scotland) Act 1974) of the *[feuduty]* *[ground annual]* *[or otherwise]* of *[amount]* per annum exigible as at *[give date of notice of redemption]* in respect of *[give sufficient identification of the land in respect of which the payment being redeemed is exigible]*.

Dated this day of 19 .

(Signed) XY.

or YZ,

Agent for XY.

Status: This is the original version (as it was originally enacted).

SCHEDULE 2

Section 5.

FORM OF NOTICE PRESCRIBED UNDER SECTION 5 “NOTICE OF REDEMPTION

under section 5 of the Land Tenure Reform (Scotland) Act 1974 (redemption by law of feuduty, ground annual, etc. on transfer of land for valuable consideration).

[Address of person sending notice, and Date]

To *[name and address of superior, etc. or his agent]*

Take notice that, in terms of section 5 of the Land Tenure Reform (Scotland) Act 1974, the [feuduty] [ground annual] [or otherwise] of [amount] per annum exigible in respect of [give sufficient identification of the land in respect of which the feuduty, etc. was exigible] as at [give date of redemption] [will be deemed to be redeemed] [is deemed to have been redeemed] at that date by reason of entry having been taken to the said subjects [under an obligation to convey] [or, as the case may be, under a deed conveying] the said subjects by [give name(s) of obligant(s) or person(s) conveying as the case may be] dated [give date(s) of obligation or of execution of deed as the case may be].

(Signed) AB.

or CD,

Agent for AB.

SCHEDULE 3

Section 6.

FORM OF NOTICE PRESCRIBED UNDER SECTION 6 “NOTICE OF REDEMPTION

under section 6 of the Land Tenure Reform (Scotland) Act 1974 (redemption by law of feuduty, ground annual, etc. on acquisition of land by authority possessing compulsory purchase powers).

[Name and address of authority sending notice, and Date]

To *[name and address of superior, etc. or his agent]*

Take notice that, in terms of section 6 of the Land Tenure Reform (Scotland) Act 1974, the [feuduty] [ground annual] [or otherwise] of [amount] per annum exigible in respect of [give sufficient identification of the land in respect of which the feuduty, etc. was exigible] as at [give date of redemption] will be deemed to be redeemed at that date [to such extent (if any) as may be settled under section 109 of the Lands Clauses Consolidation (Scotland) Act 1845 as applied by virtue of section 6 of the said Act of 1974].

[To be signed on behalf of the acquiring authority]

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

SCHEDULE 4

Section 7.

STATEMENT REFERRED TO IN SECTION 7(1)(B)

I certify that this deed is granted in implement of an obligation entered into before 8th November 1973 by [me] [XY then proprietor of the land subject to this deed].”
(If separate memorandum) (Signed) AB.
or CD,
Agent for AB.

SCHEDULE 5

Section 9.

FORM OF NOTICE PRESCRIBED UNDER SECTION 9

“NOTICE

under subsection (1) of section 9 of the Land Tenure Reform (Scotland) Act 1974 (consequences of use as dwelling-house of property subject to long lease, etc.)

To Terminate Use as or as part of Private Dwelling-House of
Property subject to [Lease]
[Liferent]
[Right of Occupancy]
[Address of person sending notice, and Date]
To [name and address of addressee]

You are required to terminate the use as or as part of a private dwelling-house of [give sufficient identification of the property by reference to the lease, etc. or otherwise: if the notice relates to the use of part only of the property subject to the lease, etc., the identification should be a particular description or a description by reference of that part, in terms of section 9(5) of this Act] within 28 days from the date of this notice, under pain of action of removing in terms of section 9 of the Land Tenure Reform (Scotland) Act 1974.

(Signed) AB.
or CD,
Agent for AB.

Note to be appended to Notice

The reason for giving this notice is contravention of the condition contained in subsection (1) of section 8 of the Land Tenure Reform (Scotland) Act 1974 (property let under long lease, etc. not to be used as private dwelling-house).

Without prejudice to any other rights, obligations or defences which you may have under section 8, 9 or 10 of the said Act or otherwise, your attention is directed to the following provisions of the Act:—

Section 9(3):

[Here quote the subsection verbatim]

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Section 9(4):

[Here quote the subsection verbatim]

Section 10(3):

[Here quote the subsection verbatim]

If you are in doubt about your position in law you should obtain legal advice promptly.

SCHEDULE 6

Section 18.

AMENDMENT OF LAW RELATING TO REGISTRATION OF LEASES

The Registration of Leases (Scotland) Act 1857

- 1 In section 1 (long leases, and assignments thereof, registrable in register of sasines), for the words " of thirty-one years, and for any greater number of years that shall be stipulated" there shall be substituted the words " exceeding twenty years ".
- 2 In section 2 (recorded leases effectual against singular successors in the lands let), the words " at or subsequent to the date of entry therein stipulated " shall cease to have effect
- 3 Section 16 (registration equivalent to possession) shall be renumbered as subsection (1) of that section, and at the end there shall be added the following subsection—
- “(2) The registration of any such lease or other writ as aforesaid, in manner herein provided, on or after 1st September 1974, shall, without prejudice to the foregoing provisions of this section and to the provisions of section 2 of the Prescription and Limitation (Scotland) Act 1973, complete the right under the same to the effect of establishing in virtue thereof such a preference as aforesaid over the right of any party to any such lease or writ, or of any party in his right, granted after that date and not registered in manner herein provided at the time of the registration of the lease or writ first mentioned.”.
- 4 In section 17 (leases with obligation to renew, registrable), for the words " of thirty-one years or upwards" there shall be substituted the words " exceeding twenty years ".
- 5 Section 18 (which provides that certain leases are not to be registrable where the name and extent of the lands is not given or where they exceed 50 acres) shall cease to have effect.
- 6 In section 19 (extracts registrable where leases recorded in Court of Session or sheriff court books), the words "before the passing thereof " shall cease to have effect.

The Long Leases (Scotland) Act 1954

- 7 In section 27 (amendment of section 18 of the Registration of Leases (Scotland) Act 1857), subsection (1) and, in subsection (2), the words after " 1924 " shall cease to have effect.

NOTES

- (a) The amendments made in accordance with this Schedule to sections 1, 2 and 17 of the Registration of Leases (Scotland) Act 1857 shall have effect in relation to leases executed before the commencement of this Act as they have effect in relation to those executed thereafter.
- (b) Section 19 of the Registration of Leases (Scotland) Act 1857 shall be deemed always to have had effect subject to the amendment thereto made in accordance with this Schedule.
- (c) Section 27(1) of the Long Leases (Scotland) Act 1954 (which is repealed by this Act) shall be deemed always to have had effect subject to the substitution, before the words " there is endorsed " , for the word " and ", of the words " or (as the case may be) " .

SCHEDULE 7

Section 23.

REPEALS

Chapter	Short Title	Extent of Repeal
3 & 4 Will. 4. c. 69.	The Crown Lands (Scotland) Act 1833.	Section 7.
15 & 16 Vict. c. 28.	The Commissioners of Works Act 1852.	Section 7.
20 & 21 Vict. c. 26.	The Registration of Leases (Scotland) Act 1857.	In section 2, the words " at or subsequent to the date of entry therein stipulated ". Section 18. In section 19, the words "before the passing thereof".
2 & 3 Eliz. 2. c. 49.	The Long Leases (Scotland) Act 1954.	In section 27, subsection (1) and, in subsection (2), the words after " 1924 " .