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SCHEDULES

THIRD SCHEDULE

APPLICATION OF SECTION EIGHTEEN TO SPECIAL CASES

Application to Scotland

- 12 In the application of the foregoing provisions of this Schedule to Scotland—
- (a) for any reference to a mortgage there shall be substituted a reference to a heritable security, and for any reference, in relation to such a security, to the mortgagee there shall be substituted a reference to the heritable creditor ;
 - (b) any reference to a settlement shall, notwithstanding anything in the foregoing provisions of this Schedule, be construed as a reference to a trust within the meaning of the Trusts (Scotland) Act, 1921 ; and
 - (c) any reference to settled land shall be construed as a reference to land subject to such a trust.
- 13 (1) Where in a case falling within paragraph (c) of subsection (9) of section eighteen of this Act, or that paragraph as extended by subsection (1) of section twenty-one of this Act, the consideration under section one hundred and eight of the Lands Clauses Consolidation (Scotland) Act, 1845 (as read with section sixty-two of the Scottish Act of 1954) was paid to the trustees of a trust within the meaning of the Trusts (Scotland) Act, 1921, any reference in the said paragraph (c) or in subsection (7) of section nineteen of this Act to the person who has received the consideration shall be construed as a reference to the trustees for the time being of the trust.
- (2) Where the preceding sub-paragraph applies, paragraph (d) of subsection (9) of section eighteen of this Act shall not apply.
- (3) Any additional consideration paid to the trustees of a trust by virtue of section eighteen of this Act, or by virtue of the provisions of that section as extended by section twenty-one of this Act, in respect of a compulsory acquisition or sale by agreement, shall be applicable by the trustees as if it were consideration received by them under section one hundred and eight of the Lands Clauses Consolidation (Scotland) Act, 1845, as read with section sixty-two of the Scottish Act of 1954.
- (4) This paragraph shall apply to Scotland only.