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SCHEDULES

SCHEDULE A

FORM NO. 1

[^{F1}CLAUSE OF DEDUCTION OF TITLE IN A DISPOSITION OF LAND WHERE THE GRANTEE DOES NOT HAVE A RECORDED TITLE]

Textual Amendments

- F1** Sch. A Form No. 1 heading substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) (asp 5), ss. 71, 77(2), **sch. 12 para. 15(19)(a)** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Modifications etc. (not altering text)

- C1** Form 1 of Schedule A excluded by [Land Registration \(Scotland\) Act 1979](#) (c. 33, SIF 31:3), **s. 15(3)**

[To be inserted immediately after the clause specifying the date or term of entry or after the dispositive clause where no date or term of entry is specified.]

Which lands and others (*orsubjects*) were last vested [*or are part of the lands and others (*orsubjects*) last vested*] in *A.B.*, (*designation of person* [^{F2}*having last recorded title*]), whose title thereto is recorded in (*specify Register of Sasines and date of recording, or if the last* [^{F2}*recorded title*] *has already been mentioned say in the said A.B. as aforesaid*), and from whom I acquired right by (*here specify shortly the writ or series of writs by which right was so acquired*).

Textual Amendments

- F2** Words in Sch. A Form No. 1 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) (asp 5), ss. 71, 77(2), **sch. 12 para. 15(19)(b)** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

NOTE TO FORM NO. 1 OF SCHEDULE A

If any conditions, reservations, provisions, obligations, servitudes or other burdens which effect the land or any part thereof or qualify the grantee's right thereto be contained in or imposed by the writ or any of the writs by which the grantee acquired right and are proper to be inserted, insert the same at length in the dispositive clause, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amounts thereof and the name and designation or designative description of the creditor therein, all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others.

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FORM NO. 2

CLAUSE TRANSMITTING PERSONAL OBLIGATION IN A HERITABLE SECURITY IN A DISPOSITION OF LAND

I, *A.B. (designation)*, in consideration of (*specify any part of price paid in money*) and in consideration also of *C.D. (designation)* undertaking as by his signature hereto he undertakes the personal obligation contained in a bond and disposition in security for the sum of (*insert amount*) granted by me [*or by E.F. (original debtor)*] in favour of *G.H. (original creditor)*, dated (*insert date*), and recorded in (*specify Register of Sasines and date of recording*) do hereby dispone, &c.

SCHEDULE B

Section 15.

NOTICE OF TITLE

FORM NO. 1

ON BEHALF OF A PERSON WHO HAS RIGHT TO LAND BY A TITLE WHICH
HAS NOT BEEN RECORDED IN THE APPROPRIATE REGISTER OF SASINES
AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that *A.B. (designation)* has right as proprietor (*or life-renter or proprietor in trust or otherwise, as the case may be*) to all and whole [*here describe the land or refer to description thereof as in Schedule D. to this Act or as in Schedule G. to the ^{M1}Titles to Land Consolidation (Scotland) Act, 1868; and if ^{F3}... any conditions, reservations, provisions, obligations servitudes, or other burdens which affect the land or any part thereof ^{F3}... or qualify *A.B.*'s right thereto be contained in or imposed by the writ or any of the writs by which *A.B.* acquired right and are proper to be inserted, here insert the same at length, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amount thereof and the name and designation or designative description of the creditor therein all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others]; Which lands and others (*or subjects*) were last vested [*or are part of the lands and others (or subjects) last vested*] in *C.D. (design person [^{F4}having last recorded title])*, whose title thereto was recorded in (*specify Register of Sasines and date of recording, or if the last [^{F4}recorded title] has already been mentioned say in the said *C.D.* as aforesaid*), and from whom the said *A.B.* acquired right by (*here specify shortly the writ or series of writs by which he acquired right*); Which last recorded title and subsequent writ (*or writs*) have been presented to me, *Y.Z. (designation)*, Notary Public, (*or Law Agent*).*

Textual Amendments

- F3** Words in Sch. B Form No. 1 repealed (28.11.2004) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 122(1), 129(2), [sch. 15](#) (with ss. 119, 121) (see S.S.I. 2003/456, art. 2)
- F4** Words in Sch. B Form No. 1 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 15\(20\)\(a\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Marginal Citations

- M1** 1868 c. 101.

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[^{F5}Testing clause+]

Textual Amendments

F5 Words in Sch. B Form No. 1 substituted (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), Sch. 4 para. 31(a) (with ss. 9(3)(5)(7), 13, 14(3))

Y.Z.

FORM NO. 2

ON BEHALF OF A PERSON WHO HAS RIGHT TO LAND CONVEYED BY AN UNRECORDED SPECIAL CONVEYANCE WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that *A.B. (designation)* has right as proprietor (*or life-renter or proprietor in trust or otherwise, as the case may be*) to all and whole the lands and others (*or subjects*) disposed by (*or contained in*) the disposition (*or feu charter or other special conveyance*) granted by *C.D. (designation)* in favour of *E.F. (designation)* dated (*insert date*), and recorded in (*specify Register of Sasines*) of even date herewith [*if any conditions, reservations, provisions, obligations, servitudes or other burdens affecting the land or any part thereof or qualifying A.B.'s right thereto be contained in or imposed by the writ or any of the writs by which A.B. acquired right other than such special conveyance and are proper to be inserted, here insert the same at length, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amount thereof and the name and designation or designative description of the creditor therein, all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others*]; To which lands and others (*orsubjects*) the said *A.B.* acquired right by the foresaid disposition (*or as the case may be*) and by (*here specify shortly the subsequent writ or series of writs by which he acquired right*); Which disposition and subsequent writ (*or writs*) have been presented to me (*as in Form No. 1 of this Schedule*).

[^{F6}Testing clause+]

Textual Amendments

F6 Words in Sch. B Form No. 2 substituted (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), Sch. 4 para. 31(a) (with ss. 9(3)(5)(7), 13, 14(3))

FORM NO. 3

ON BEHALF OF A PERSON WHO HAS RIGHT TO A RECORDED HERITABLE SECURITY BY A TITLE WHICH HAS NOT BEEN RECORDED IN THE APPROPRIATE REGISTER OF SASINES AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that *A.B. (designation)* has right (*adding if such be the case to the extent aftermentioned*) to a bond and disposition in security (*or as the case may be*) for the sum of (*insert amount*) granted by *C.D. (design original debtor)* in favour of *E.F. (design original creditor)*, dated (*insert date*) and recorded in [*specify Register of Sasines and date of recording; adding, if necessary, but only to the extent of (insert sum) of principal*]; Which bond and disposition in security was last vested in the said *E.F.* as aforesaid [*or if E.F. is not the person*

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^{F7} ... holding the last recorded title thereto, say Which bond and disposition in security (adding if necessary, to the extent foresaid or as the case may be) was last vested in G.H. (design person holding the last recorded title thereto), whose title thereto was recorded in said Register of Sasines (or as the case may be, and give date of recording)], and from whom the said A.B. acquired right (adding, if necessary, to the extent foresaid, or as the case may be), by (here specify shortly the writ or series of writs by which he acquired right); Which last recorded title and subsequent writ or writs) have been presented to me (as in Form No. 1 of this Schedule).

Textual Amendments

F7 Words in Sch. B Form No. 3 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) (asp 5), ss. 71, 77(2), **sch. 12 para. 15(20)(b)** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

[^{F8}Testing clause+]

Textual Amendments

F8 Words in Sch. B Form No. 3 substituted (1.8.1995) by [1995 c. 7, ss. 14\(1\), 15\(2\), Sch. 4 para. 31\(a\)](#) (with ss. 9(3)(5)(7), 13, 14(3))

FORM NO. 4

^{F9} ...

Textual Amendments

F9 Sch. B Forms No. 4, 6 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) (asp 5), ss. 71, 77(2), **sch. 12 para. 15(20)(c), sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

M2

Marginal Citations

M2 [1868 c. 101.](#)

...

FORM NO. 5

ON BEHALF OF A PERSON WHO HAS RIGHT TO AN UNRECORDED HERITABLE SECURITY WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that A.B. (designation) has right (adding if such be the case to the extent aftermentioned) to a bond and disposition in security (or as the case may be) for the sum of (insert amount) granted by C.D. (designation) in favour of E.F. (designation) dated (insert date), and recorded in (specify Register of Sasines) of even date herewith [adding if necessary but only to the extent of (insert sum) of principal]; To which bond and disposition in security (adding if necessary to the extent foresaid or as the case may be) the said A.B. acquired right

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by (here specify shortly the writ or series of writs by which he acquired right); Which bond and disposition in Security (or as the case may be) and subsequent writ (or writs) have been presented to me (as in Form No. 1 of this Schedule).

[^{F10}Testing clause+]

Textual Amendments

F10 Words in Sch. B Form No. 5 substituted (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), Sch. 4 para. 31(a) (with ss. 9(3)(5)(7), 13, 14(3))

FORM NO. 6

^{F9}
...

NOTES TO SCHEDULE B

Note 1.—Where the description in the last [^{F11}recorded title] is a particular description, the description in Form No. 1 of this Schedule should be by reference thereto, unless there is reason to the contrary.

Textual Amendments

F11 Words in Sch. B Note 1 substituted (28.11.2004) by Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), ss. 71, 77(2), sch. 12 para. 15(21)(a) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Note 2.—In adapting Form No. 2 of this Schedule to the case of a person who has right to only a part of the land contained in a unrecorded conveyance, deed, or decree there shall be inserted immediately before the words “all and whole” a description of such part of the land, and the form may then proceed *which lands and others (or subjects) are part of*.

Note 3.—If the original [^{F12}title to] a bond and disposition in security or other heritable security [^{F12}has been completed] otherwise than by recording the same in the appropriate Register of Sasines add immediately after the mention of the date thereof *and instrument of sasine (or notarial instrument, or if such be the case and along with notice of title) thereon* (adding if such instrument or notice is not in favour of the original creditor the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

Textual Amendments

F12 Words in Sch. B Note 3 substituted (28.11.2004) by Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), ss. 71, 77(2), sch. 12 para. 15(21)(b) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Note 4.—In adapting Forms Nos. 3 and 5 of this Schedule to real burdens for capital sums, there shall be substituted for the specification of the bond and disposition in security the following: *A real burden for the sum of (insert amount) payable to E.F. (designation) in terms of (specify the disposition or other deed under which the real burden was reserved or constituted, giving*

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SCHEDULE D

Sections 4(2), (4), 24(3).

CLAUSE OF REFERENCE TO A DESCRIPTION OF LAND
CONTAINED IN A PRIOR CONVEYANCE, DEED, OR INSTRUMENT

Modifications etc. (not altering text)

- C2** Sch. D extended by [Conveyancing and Feudal Reform \(Scotland\) Act 1970 \(c. 35\), s. 28\(5\)](#)
C3 Sch. D excluded by [Land Registration \(Scotland\) Act 1979 \(c. 33, SIF 31:3\), s. 15\(1\)](#)

All and whole the lands and others (*or* subjects) in the county of (*or* in the burgh of and county of *as the case may be*) described in (*refer to the conveyance, deed, or instrument in such terms as shall be sufficient to identify it, and specify the Register of Sasines in which it is recorded and date of recording, or where the conveyance, deed, or instrument referred to is recorded on the same date as the conveyance, deed, or instrument containing the reference substitute for the date of recording the words*of even date with the recording of these presents):—

NOTES TO SCHEDULE D

Note 1.—In referring to a Deed containing a particular description [^{F16}or to a Deed containing reservations, real burdens, conditions, provisions, limitations, obligations and stipulations affecting lands] it shall be sufficient to give the names of the grantor and grantee or of the parties thereto without adding their designations, and when there are several grantors or grantees or several parties acting in the same category it shall be sufficient to give the name of the first mentioned person only with the addition of the words *and others*; and where the grantor or grantors or grantee or grantees, or the parties or one of the parties thereto acts or act in a fiduciary capacity it shall be sufficient to state such capacity without giving their individual name or names, *e.g.*:

- (a) *Feu Charter granted by A.B. in favour of C.D., dated* (insert date) *and recorded in* (specify Register of Sasines and give date of recording).
 (b) *Disposition granted by C.D. and others in favour of E.F. and others, dated, &c.* (as above)
 (c) *Notarial Instrument (or Notice of title) in favour of the Trustee (or Trustees) of G.H. (or the Judicial Factor of J.K. or the Trustee on the Sequestered Estates of L.M. or the Liquidator of the N.O. Company Limited, or as the case may be) recorded in* (specify Register of Sasines and date of recording).

Textual Amendments

- F16** Words inserted by [Conveyancing Amendment \(Scotland\) Act 1938 \(c. 24\), s. 2\(2\)](#)

Note 2.—Where it is desired to insert a short description of the land or subjects, this may be done as follows:—*All and whole that dwelling-house, number ten, Rosebery Crescent, Edinburgh, (or the east most half-flat on the second storey of the tenement entering from number fifteen, Lothian Street, Edinburgh, or otherwise, as the case may be) in the county of Edinburgh, described in, &c.* (as above).

Note 3.—If part only of the land or subjects described in a former recorded conveyance, deed, instrument, or notice of title is being conveyed or otherwise dealt with for the first time as a separate subject, such part should be described at length, adding *being part of the lands and others (or subjects) in the county of or in the burgh of and county of described in, &c.* (as above);

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or thus: *All and Whole the lands and others (or subjects) in the county of or in the burgh of and county of described in, &c.* (as above), *with the exception of* (describe the part excepted).

Note 4.—If several lands or subjects are described in the conveyance, deed, or instrument referred to, and it is intended to specify one or more of them, these may be distinguished from the others thus: *All and Whole the lands and others (or subjects) first (or second and third) described in, &c.* (as above, or otherwise, as the case may be).

^{F17}SCHEDULE E

Textual Amendments

F17 Sch. E repealed (28.11.2004) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 122(1), 129(2), **sch. 15** (with ss. 119, 121) (see [S.S.I. 2003/456](#), art. 2)

^{F18}SCHEDULE F

Textual Amendments

F18 Sch. F repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 15\(22\)](#), **sch. 13 Pt. 1** (with ss. 58, 62, 75); [S.S.I. 2003/456](#), art. 2

^{F19}SCHEDULE G

Textual Amendments

F19 Sch. G repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 15\(22\)](#), **sch. 13 Pt. 1** (with ss. 58, 62, 75); [S.S.I. 2003/456](#), art. 2

^{F20}SCHEDULE H

Textual Amendments

F20 Sch. H repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 15\(22\)](#), **sch. 13 Pt. 1** (with ss. 58, 62, 75); [S.S.I. 2003/456](#), art. 2

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F²¹SCHEDULE I

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Textual Amendments

F21 Sch. I repealed (1.8.1995) by 1995 c. 7, ss. 14(2), 15(2), **Sch. 5** (with ss. 9(3)(5)(7), 13, 14(3))

SCHEDULE J

Section 18.

REGISTRABLE LEASES

.....

Modifications etc. (not altering text)

C4 Sch. J excluded by Land Registration (Scotland) Act 1979 (c. 33, SIF 31:3), **s. 15(1)**

A lease (or tack) granted by *E.F. (designation)* in my favour [or in favour of *G.H. (designation)* or as the case may be] of the subjects therein described lying in the county of (or burgh of and county of) dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*).

NOTES TO SCHEDULE J

Note 1.—If the recording of a lease in the appropriate Register of Sasines has been effected by a successor of the original lessee, add immediately after the mention of the date thereof *and along with notarial instrument (or notice of title) thereon in favour of* (giving the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

Note 2.—Where any deed authorised by this Act relates to part only of the subjects contained in a lease add *but in so far only as regards the following portion of the subjects leased, viz.* (here describe the portion or refer to description thereof as in Schedule D hereto).

Note 3.—Where the granter of an assignation of a recorded lease or of a bond and assignation in security of a recorded lease is not the original lessee but has a recorded title [F²²no specification of the granter's title is required.]

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Textual Amendments

F22 Words substituted by Conveyancing and Feudal Reform (Scotland) Act 1970 (c. 35), **Sch. 10 para. 2**

Note 4.—In an assignation or renunciation of a recorded lease the title of the granter of which assignation or renunciation is not recorded, and in a notice of title to a recorded lease, insert *which lease* (adding if necessary *to the extent foresaid* or as the case may be) *was last vested in the said G.H. as aforesaid* [or if *G.H.* is not the person having such title say *in J.K.* (design person having such title) *whose title thereto is recorded in said Register of Sasines* (or as the case may be, and give date of recording)], *and from whom I* (in the case of an assignation or

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renunciation) or *the said A.B.* (in the case of a notice of title) *acquired right by* (here specify shortly the writ or series of writs by which right was so acquired by the person granting the assignation or renunciation, or expeding the notice of title.)

Note 5.—Where a title to an unrecorded lease is being completed by notice of title under this Act the lease shall be referred to in manner above prescribed except that the Register of Sasines shall be specified, and for the date of recording of the lease there shall be substituted the words *of even date herewith.*

^{F23}SCHEDULE K

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Textual Amendments

F23 Sch. K repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), sch. 12 para. 15(23), **sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

^{F24}SCHEDULE L

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Textual Amendments

F24 Sch. L repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), sch. 12 para. 15(23), **sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

^{F25}SCHEDULE M

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Textual Amendments

F25 Sch. M repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), sch. 12 para. 15(23), **sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

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^{F26}SCHEDULE N

Textual Amendments

F26 Sch. N repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), sch. 12 para. 15(23), [sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

[^{F27}SCHEDULE O]

FORM OF MEMORANDUM TO BE RECORDED IN THE REGISTER OF SASINES

Textual Amendments

F27 Sch. O added by [Conveyancing Amendment \(Scotland\) Act 1938 \(c. 24\)](#), [Sch.](#)

Memorandum with regard to the subjects after described:

With reference to the subjects (*describe particularly or by reference*) T. the trustee in the sequestration of B. has obtained a vesting order under section 98 of the ^{M3}Bankruptcy (Scotland) Act 1913 dated (*insert date of order*).

Marginal Citations

M3 1913 c. 20.

The memorandum should be signed by the trustee or his law agent, dated, and recorded ^{F28}... in the appropriate division or divisions of the Register of Sasines.

Textual Amendments

F28 Words in Sch. O repealed (28.11.2004) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 122(1), 129(2), [sch. 15](#) (with ss. 119, 121) (see S.S.I. 2003/456, art. 2)

The form may be adapted in the case of a lease thus:—

Memorandum with regard to the lease after-mentioned:

With reference to the lease granted by C in favour of D of the subjects therein described lying in the county of K, dated (*insert date*), and recorded in [*specify Register of Sasines and date of recording*], T. the trustee &c.

and in the case of a heritable security thus:—

Memorandum with regard to the bond and disposition in security after-mentioned:

With reference to the bond and disposition in security for the sum of (*insert sum*) granted by E in favour of F dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*), T. the trustee &c.

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