



# Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

## PART 3

### FEUDUTIES

#### *Arrears*

#### 13 Arrears of feuduty etc.

- (1) Feuduty shall continue to be exigible for any period before the appointed day; and if (in so far as so exigible) it has not fallen due before that day, it shall fall due on that day.
- (2) On the appointed day feuduty shall cease to constitute a *debitum fundi* as shall any amount secured, in favour of a superior, by virtue of section 5 of the Land Tenure Reform (Scotland) Act 1974 (c.38) (redemption on transfer of land).
- (3) The superior's hypothec is, on the appointed day, abolished.
- (4) Subsections (2) and (3) above are without prejudice to any—
  - (a) action—
    - (i) founded on a *debitum fundi* or superior's hypothec; and
    - (ii) commenced before the appointed day; or
  - (b) right or preference—
    - (i) so founded; and
    - (ii) claimed in a sequestration, or in some other process in which there is ranking, commenced before that day.

**Changes to legislation:**

Abolition of Feudal Tenure etc. (Scotland) Act 2000, Cross Heading: Arrears is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18C(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 18C(3) words repealed by [2004 asp 7 sch. 2](#)