
Changes to legislation: Abolition of Feudal Tenure etc. (Scotland) Act 2000, Paragraph 48 is up to date with all changes known to be in force on or before 25 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. (See end of Document for details) View outstanding changes

SCHEDULE 12 MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Housing (Scotland) Act 1987 (c.26)

- 48 (1) The Housing (Scotland) Act 1987 shall be amended in accordance with this paragraph.
- (2) In section 16 (disposal of land for erection of churches etc.), for the word “feu” substitute “disposition”.
- ^{F1}(3)
- (4) In section 125(2) (notice to certain persons of time and place at which question of demolishing building will be considered), the words “of the superior of whom such owner holds, and” shall cease to have effect.
- (5) In section 132, subsection (1) (notice to superiors of certain proceedings in relation to lands and heritages) shall cease to have effect.
- (6) In section 155(1) (power to require information), for the words “an estate” substitute “a right”.
- (7) In section 175(1) (protection of superiors and owners)—
- (a) the words “superior or” shall cease to have effect; and
 - (b) for the word “estate” substitute “right”.
- (8) In section 177(b) (interpretation), for the words “an estate” substitute “a right”.
- (9) In section 179 (general effect of control order)—
- (a) in subsection (1)(b), for the words “an estate” substitute “a right”; and
 - (b) in subsection (2), for the words “under this section have an interest amounting to an estate in” substitute “own”.
- (10) In section 180 (effect of control order on occupier)—
- (a) in subsection (2)—
 - (i) in paragraph (a), for the words “an estate” substitute “a right”; and
 - (ii) in paragraph (b), for the words “an estate in” substitute “ownership of”; and
 - (b) in subsection (6), for the words “an estate” substitute “a right”.
- (11) In section 186 (appeal against control order), in each of subsections (1) and (2), for the words “an estate” substitute “a right”.
- (12) In section 190(1) (interpretation), in the definition of “licence”, for the words “an estate or interest therein” substitute “ownership, tenancy or a real right”.
- (13) Section 334 (power of heir of entail to sell land for housing purposes) shall cease to have effect.
- (14) In section 338(1) (interpretation)—

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- (a) in the definition of “land”, for the word “estate” substitute “right”; and
 - (b) the definitions of—
 - (i) “sell” and “sale”; and
 - (ii) “superior”,
 shall cease to have effect.
- (15) In Schedule 9 (recovery of expenses by charging order), in paragraph 7, for the words “bond and disposition in” substitute “standard”.
- (16) In Schedule 11 (houses in multiple occupation: control orders)—
- (a) in paragraph 4(1), for the words “an estate” substitute “a right”; and
 - (b) in paragraph 5(3), for the words—
 - (i) “an estate” substitute “a right”; and
 - (ii) “that estate” substitute “that right”.

Textual Amendments

F1 Sch. 12 para. 48(3) repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), s. 104(3), **sch. 2 para. 9**; S.S.I. 2014/264, art. 2, sch. (with art. 4)

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Changes and effects yet to be applied to :

- Sch. 12 para. 48(6)-(12) repealed by [2006 asp 1 Sch. 7](#)
- Sch. 12 para. 48(16) repealed by [2006 asp 1 Sch. 7](#)

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](#)