
Changes to legislation: Abolition of Feudal Tenure etc. (Scotland) Act 2000, Cross Heading: Notes for completion of the notice is up to date with all changes known to be in force on or before 23 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 6 FORM OF NOTICE SEEKING AGREEMENT TO THE PROSPECTIVE NOMINATION OF A DOMINANT TENEMENT

Notes for completion of the notice

(These notes have no legal effect)

- 1 Insert name and address of superior.
- 2 Insert name and address of person who has the feudal estate of *dominium utile*.
- 3 Specify by reference to the appropriate Register the deed or deeds in which the real burden or counter-obligation was imposed. Set out the real burden or counter-obligation in full or refer to the deed in such a way as to identify the real burden or counter— obligation. You may if you wish propose and set out a modification to either the real burden or to the counter-obligation (or modifications to both).
- 4 Where the title has been registered in the Land Register of Scotland and the superior is—
 - (a) registered as proprietor, specify the title number;
 - (b) not registered as proprietor, specify the title number and set out the midcouples or links between the person last registered and the superior so as sufficiently to identify them.

Where the title has not been registered in the Land Register and the superior—

 - (a) has a recorded title, specify by reference to the Register of Sasines the deed constituting the immediate title;
 - (b) does not have a recorded title, either—
 - (i) specify by reference to the Register of Sasines the deed constituting the immediate title of the person with the last recorded title and set out the midcouples or links between that person and the superior so as sufficiently to identify them; or
 - (ii) if there is no such deed, specify the nature of the superior’s title.
- 5 Do not complete until a copy of the notice has been delivered or sent to the person with right to the feu. Then insert the following:

“The superior has served this notice by [*specify whether by delivery, by recorded delivery, by registered post or by ordinary post*] on [*date of posting*] to the person with right to the feu at [*state address*].”.

The notice should not be signed until a copy of it has been so delivered or sent.

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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](#)