



Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

PART 3

FEUDUTIES

Interpretation

16 Interpretation of Part 3

- (1) In this Part of this Act, unless the context otherwise requires—
- “compensatory payment” shall be construed in accordance with section 8(1) of this Act;
 - “feuduty” includes blench duty;
 - “superior”, in relation to a feu, means the person who, immediately before the appointed day, has right to the immediate superiority, whether or not he has completed title (and if more than one person comes within that description, then the person who has most recently acquired such right); and “former superior” shall be construed in accordance with section 8(1) of this Act; and
 - “vassal”, in relation to a feu, means the person who, immediately before the appointed day, has right to the feu, whether or not he has completed title (and if more than one person comes within that description, then the person who has most recently acquired such right); and “former vassal” shall be construed in accordance with section 8(1) of this Act.
- (2) Where a feu comprises parts each held by a separate vassal, being parts upon which feuduty has not been allocated, the whole of any feuduty exigible in respect of the parts so held is in this Part of this Act referred to as a “*cumulo* feuduty”; and any reference in this Part of this Act to a feu is to be construed, in relation to the parts so held, as a reference to those parts collectively.
- (3) Any reference in this Part of this Act to a feu is to be construed as including a reference to any part of a feu if it is a part upon which feuduty has been allocated.

Changes to legislation: *Abolition of Feudal Tenure etc. (Scotland) Act 2000, Section 16 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*

- (4) Where, immediately before the appointed day a feu, or any part of a feu, is held by two or more vassals as common property—
- (a) they shall be severally liable to make any compensatory payment (but as between, or as the case may be among, themselves they shall be liable in the proportions in which they hold the feu); and
 - (b) subject to section 11 of this Act they shall together be treated for the purposes of this Act as being a single vassal.

Changes to legislation:

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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](#)