



Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

PART 6

MISCELLANEOUS

Discharge of certain rights and extinction of certain obligations and payments

56 Extinction etc. of certain payments analogous to feuduty

- (1) The provisions of Part 3 of this Act shall apply as regards ground annual, skat, teind, stipend, standard charge, dry multures (including compensation payable in respect of commutation pursuant to the Thirlage Act 1799 (c.55)) and, subject to the exceptions mentioned in subsection (2) below, as regards any other perpetual periodical payment in respect of the tenure, occupancy or use of land or under a [^{F1}title condition], as those provisions apply as regards feuduty; but for the purposes of that application—
- (a) references in the provisions to “vassal” and “superior” shall be construed as references to, respectively, the payer and the recipient of the ground annual, skat, teind, stipend, standard charge, dry multures or other payment in question (“former vassal” and “former superior” being construed accordingly); and
 - (b) a form (and its explanatory note) contained in a schedule to this Act shall be modified so as to accord with the kind of payment to which it relates.
- (2) The exceptions are any payments—
- (a) in defrayal of, or as a contribution towards, some continuing cost related to land; or
 - (b) made under a heritable security.
- [^{F2}(3) The definition of “title condition” in section 122(1) of the Title Conditions (Scotland) Act 2003 (asp 9) shall apply for the purposes of this section as that definition applies for the purposes of that Act.]
- (4) Nothing in subsections (1) to (3) above shall be taken to prejudice the tenure, occupancy or use of land.

Changes to legislation: *Abolition of Feudal Tenure etc. (Scotland) Act 2000, Section 56 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*

Textual Amendments

- F1** Words in s. 56(1) substituted (4.4.2003) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 114(6), 129(3), **sch. 13 para. 12(a)** (with ss. 119, 121)
- F2** S. 56(3) substituted (4.4.2003) by [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#), ss. 114(6), 129(3), **sch. 13 para. 12(b)** (with ss. 119, 121)

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](#)