



Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

PART 3

FEUDUTIES

Extinction of feuduties

8 Requiring compensatory payment

- (1) Where a feuduty is extinguished by section 7 of this Act, the person who was the superior in relation to the feu (that person being in the following provisions of this Part of this Act referred to as the “former superior” may, within two years after the appointed day, duly serve on the person who was the vassal in relation to the feu (that person being in those provisions referred to as the “former vassal” notice requiring that a payment specified in the notice (being a payment calculated in accordance with section 9 of this Act) be made to him by the former vassal; and any such payment is referred to in this Act as a “compensatory payment”.
- (2) In its application to a feuduty which was, at extinction, a *cumulo* feuduty, subsection (1) above shall be construed as relating to separate notice being duly served on each former vassal from whom payment is sought; and in that application, notice under that subsection shall be in (or as nearly as may be in) the form, with its Appendix, contained in schedule 1 to this Act.
- (3) Except in the application mentioned in subsection (2) above, notice under subsection (1) above shall be in (or as nearly as may be in) the form contained in schedule 2 to this Act.
- (4) To any notice served under subsection (1) above shall be attached a copy of the explanatory note which immediately follows, as the case may be—
 - (a) the Appendix to the form in schedule 1; or
 - (b) the form in schedule 2,to this Act.

Status: This is the original version (as it was originally enacted).

- (5) Subject to section 10 of this Act, if subsections (1) to (4) above are complied with, then within 56 days after due service on him a former vassal shall make the compensatory payment.
- (6) The reference in subsection (1) above to a notice being duly served shall be construed in accordance with section 11 of this Act.