

*These notes relate to the Title Conditions (Scotland) Act  
2003 (asp 9) which received Royal Assent on 3 April 2003*

# TITLE CONDITIONS (SCOTLAND) ACT 2003

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 9: Powers of the Lands Tribunal**

##### ***Section 99: Granting applications as respects development management schemes***

397. This section makes similar provisions to those made in section 97 and 98 for applications to preserve Development Management Schemes. Such applications under section 90(1)(d) or (e) result from a proposal by an owners' association to disapply the Scheme under section 74(1) or a proposal to register a conveyance under section 107 in circumstances where land is being acquired by agreement that could have been acquired compulsorily.
398. *Subsection (1)* directs unopposed applications to be granted as of right. Expenses may be awarded against an owners' association which does not make representations (*subsection (3)*). *Subsection (4)* contains the tests for granting the applications if they are opposed.