



Title Conditions (Scotland) Act 2003

2003 asp 9

PART 4

TRANSITIONAL: IMPLIED RIGHTS OF ENFORCEMENT

New implied rights of enforcement

57 Further provisions as respects rights of enforcement

- (1) Nothing in sections 52 to 56 revives a right of enforcement waived or otherwise lost as at the day immediately preceding the appointed day.
- (2) Where there is a common scheme, and a deed, had it nominated and identified a benefited property, would have imposed under that scheme the real burdens whose terms the deed sets out, the deed shall, for the purposes of sections 25 and 53 to 56 of this Act, be deemed so to have imposed them.
- (3) Sections 53 to 56 do not confer a right of enforcement in respect of anything done, or omitted to be done, in contravention of the terms of a real burden before the appointed day.