



# Title Conditions (Scotland) Act 2003

## 2003 asp 9

### PART 5

#### REAL BURDENS: MISCELLANEOUS

#### **60 Grant of deed where title not completed: requirements**

- (1) Subject to subsection (2) below, where an owner who does not have a completed title to land is to grant, as respects a real burden—
- (a) a constitutive deed;
  - (b) a deed of discharge; or
  - (c) a deed of variation,
- then unless the deed is one to which section 15(3) of the 1979 Act (circumstances where unnecessary to deduce title) applies, it shall be necessary in the deed to deduce title to the land through the midcouples linking the owner to the person who had the last completed title to the land.
- (2) Where, under section 33 of this Act, a manager is to grant a deed of variation or discharge, it shall not be necessary to comply with subsection (1) above or with section 15(3) of the 1979 Act.