



Title Conditions (Scotland) Act 2003

2003 asp 9

PART 7

SERVITUDES

Transitional

81 Certain real burdens to become positive servitudes

- (1) A real burden consisting of a right to enter, or otherwise make use of, the burdened property shall, on the appointed day, cease to exist as such but shall forthwith become a positive servitude.
- (2) Subsection (1) above—
 - (a) is subject to section 17(1) of the 2000 Act (extinction on appointed day of certain rights of superior);
 - (b) does not apply to real burdens such as are mentioned in section 2(3)(a) of this Act.