



Conveyancing (Scotland) Act 1924

CHAPTER 27

CONVEYANCING (SCOTLAND) ACT 1924

- 1 †Short title, extent and commencement of Act.
- 2 Interpretation clause.
- 3 Disposition, &c. by person uninfert.
- 4 Completion of title.
- 5 Deduction of title.
- 6 Notice of title equivalent to notarial instrument.
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- 8 Description by reference and short reference to deed bearing more than one date.
- 9 Amendment of law as to reference to conditions of title.
- 10 Warrants of registration.
- 11 Consolidation of superiority and property.
- 12 Abolition and commutation of grain, &c. feu-duties.
- 13 Allocation of feu-duty.
- 14 Abolition of real warrandice.
- 15 Transmission of personal obligation.
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- 18 Notarial execution.
- 19 Applicability of forms prescribed by Act.
- 20 Ratification by married woman.
- 21 Terce and courtesy.
- 22 Assimilation of law as regards legitim and jus relictæ, &c.
- 23 Ground-annuals.
- 24 Registered leases. Assimilation of forms.
- 25 Form of bond and disposition in security.
- 26 Heritable creditors' remedies for recovery of feu-duties and ground-annuals.
- 27 Restriction of agent's lien.

Status: Point in time view as at 01/02/1991.

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- 28 Assignment of bond and disposition in security.
- 29 Discharge of bond and disposition in security.
- 30 Restriction of bond and disposition in security.
- 31 Description of lands and deduction of title unnecessary in certain deeds relating to heritable securities.
- 32 Redemption of bond and disposition in security. Notice and procedure and evidence of service.
- 33 Notice calling up bond and disposition in security.
- 34 Service of notice.
- 35 Power to dispense with or shorten induciæ.
- 36 Advertisement.
- 37 Contents of advertisement.
- 38 Periods during which, and newspapers in which, advertisement required.
- 39 Where exposure to sale to take place.
- 40 Exposure in lots and apportionment of feu-duty.
- 41 Purchasers protected.
- 42 Mode of disburdening land sold under power of sale in heritable security.
- 43 Act to apply to all heritable securities.
- 44 General Register of Inhibitions and Register of Adjudications to be combined; limitation of effect of entries therein.
- 45 Provision for termination of perpetual trusts of moveables.
- 46 Extract decree of reduction to be recorded.
- 47 Re-recording of deeds relative to leasehold subjects.
- 48 Duplicate plans may be retained with Register.
- 49 Saving clause.

SCHEDULES

SCHEDULE A —

Form No. 1 — CLAUSE OF DEDUCTION OF TITLE IN A DISPOSITION OF LAND
WHERE THE GRANTER IS NOT INFECT

[To be inserted immediately after the clause specifying the date...

Which lands and others (orsubjects) were last vested [orare part...

Note to Form No. 1 of

Schedule A

If any conditions, reservations, provisions, obligations, servitudes or
other burdens...

Form No. 2 — CLAUSE TRANSMITTING PERSONAL OBLIGATION IN A HERITABLE
SECURITY IN A DISPOSITION OF LAND

I, A.B. (designation), in consideration of (specify any part of...

SCHEDULE B — Notice of Title

Form No. 1 — ON BEHALF OF A PERSON WHO HAS RIGHT TO LAND BY A
TITLE WHICH HAS NOT BEEN RECORDED IN THE APPROPRIATE
REGISTER OF SASINES AND WHICH IS NOT TO BE RECORDED
ALONG WITH THE NOTICE OF TITLE.

Be it known thatA.B. (designation) has right as proprietor (orlife-
renterorproprietor...

[To be attested.]

Y.Z.

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Form No. 2 — ON BEHALF OF A PERSON WHO HAS RIGHT TO LAND CONVEYED BY AN UNRECORDED SPECIAL CONVEYANCE WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that A.B. (designation) has right as proprietor (or life-renter or proprietor...)

[To be attested.]

Form No. 3 — ON BEHALF OF A PERSON WHO HAS RIGHT TO A RECORDED HERITABLE SECURITY BY A TITLE WHICH HAS NOT BEEN RECORDED IN THE APPROPRIATE REGISTER OF SASINES AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that A.B. (designation) has right (adding if such...)

[To be attested.]

Form No. 4 — ON BEHALF OF A PERSON WHO HAS RIGHT TO A GROUND ANNUAL WHICH HAS APPEARED IN THE APPROPRIATE REGISTER OF SASINES BY A TITLE WHICH HAS NOT BEEN RECORDED THEREIN, AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that A.B. (designation) has right (adding if such...)

[To be attested.]

Form No. 5 — ON BEHALF OF A PERSON WHO HAS RIGHT TO AN UNRECORDED HERITABLE SECURITY WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that A.B. (designation) has right (adding if such...)

[To be attested.]

Form No. 6 — ON BEHALF OF A PERSON WHO HAS RIGHT TO A GROUND ANNUAL CONSTITUTED BY A DEED THE RECORDING OF WHICH IN THE APPROPRIATE REGISTER OF SASINES ON BEHALF OF THE ORIGINAL CREDITOR WOULD HAVE INFECT HIM THEREIN AND IN THE LANDS OUT OF WHICH IT IS PAYABLE, SO RECORDED, AND WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Be it known that A.B. (designation) has right (adding if such...)

[To be attested.]

Notes to Schedule B

Note 1.—Where the description in the last infektment is a...

Note 2.—In adapting Form No. 2 of this Schedule to...

Note 3.—If the original infektment upon a bond and disposition...

Note 4.—In adapting Forms Nos. 3 and 5 of this...

Note 5. . . .

Note 6.—Where in place of the principal titles or writs...

Note 7.—Where a deed, decree or heritable security is to...

Y.Z. (designation),

Agent.

SCHEDULE C —

.....

SCHEDULE D — Clause of Reference to a Description of Land contained in a prior Conveyance, Deed, or Instrument

All and whole the lands and others (or subjects) in...

Notes to Schedule D

Note 1.—In referring to a Deed containing a particular description...

Note 2.—Where it is desired to insert a short description...

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Note 3.—If part only of the land or subjects described...

Note 4.—If several lands or subjects are described in the...

SCHEDULE E — Deed of Acknowledgment of Omitted Conditions

I,A.B. (designation), hereby acknowledge that in my title to the...

[To be attested.]

SCHEDULE F — Warrants of Registration

Register on behalf of the within named A.B. [oron behalf...

A.B.

or C.D., W.S. Edinburgh, agent.

or E. & F., W.S. Edinburgh, agents.

(or as the be).

Notes to Schedule F

Note 1.—In the case of a Warrant of Registration written...

Note 2.—In the case of a Warrant of Registration written...

Note 3.—When the right of the person or persons on...

Note 4. . . .

Note 5.—When a disposition or bond and disposition in security...

SCHEDULE G — Minute of Consolidation

I,A.B.,designed in the foregoing disposition, proprietor both of the
superiority...

[To be attested.]

SCHEDULE H — Memorandum of Allocation of Feu Duty not endorsed on a Deed

I,A.B.,(designation), immediate lawful superior of the lands and others
(orsubjects)...

[To be attested.]

SCHEDULE I — Docquet where Granter of Deed is Blind or cannot Write.

Read over to, and signed by me for, and by...

C.D., law agent (ornotary public) Edinburgh (or as the case...

or E.F., justice of the peace for the county of...

or G.H., minister (orassistant and successor to the minister) of...

M.N.,witness.

P.Q.,witness.

Note—The above docquet shall be written on the last page...

SCHEDULE J — Registrable Leases

A lease (or tack) granted by E.F. (designation) in my...

Notes to Schedule J

Note 1.—If the recording of a lease in the appropriate...

Note 2.—Where any deed authorised by this Act relates to...

Note 3.—Where the granter of an assignation of a recorded...

Note 4.—In an assignation or renunciation of a recorded lease...

Note 5.—Where a title to an unrecorded lease is being...

SCHEDULE K —

Form No. 1 — ASSIGNATION OF A BOND AND DISPOSITION IN SECURITY

I,A.B. (design creditor), in consideration of the sum of (insert...

[To be attested.]

Form No. 2 — ASSIGNATION OF A GROUND ANNUAL

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I,A.B. (design creditor), in consideration of the sum of (insert...
[To be attested.]

Form No. 3 — DISCHARGE OF A BOND AND DISPOSITION IN SECURITY

I,A.B. (design creditor), in consideration of the sum of (insert...
[To be attested.]

Form No. 4 — DISCHARGE OF A GROUND ANNUAL

I,A.B. (design creditor), in consideration of the sum of (insert...
[To be attested.]

Form No. 5 — DEED OF RESTRICTION OF A BOND AND DISPOSITION IN
SECURITY

I,A.B. (design creditor), in consideration of (specify consideration, if
any),...

[To be attested.]

Form No. 6 — COMBINED PARTIAL DISCHARGE AND DEED OF RESTRICTION OF
A BOND AND DISPOSITION IN SECURITY

I,A.B. (design creditor), in consideration of the sum of (insert...
[To be attested.]

Form No. 7 — DEED OF RESTRICTION OF A GROUND ANNUAL

I,A.B. (design creditor), in consideration of (specify consideration, if
any),...

[To be attested.]

Form No. 8 — DECREE OF ADJUDICATION FOR A GROUND ANNUAL

Having resumed consideration of the said petition (or action) finds...

Notes to Schedule K

Note 1.—If the original infetment upon a bond and disposition...

Note 2.—Where the granter of an assignation, discharge or deed...

Note 3.—If part of the security subjects has already been...

Note 4.—In adapting Forms Nos. 1, 3 and 5 of...

SCHEDULE L — Premonition by Debtor or Proprietor desiring to redeem a Heritable Security

Form No. 1

To A.B. (insert name and last known address of person...

Take notice that at the term of (state term and...

Dated this day of

(To be signed by the debtor, or proprietor, or by...

Form No. 2

I, A.B. above named, hereby acknowledge receipt of the foregoing...

Dated this day of

Form No. 3

Premonition, of which the foregoing is a copy, was posted...

(To be signed by the debtor, or proprietor, or by...

Form No. 4 — FORM OF CERTIFICATE WHERE LAND HAS BEEN REDEEMED OF A
HERITABLE SECURITY BUT DISCHARGE CANNOT BE OBTAINED

I,A.B. (designation), notary public (orlaw agent), hereby certify
thatC.D. (designation),...

[To be attested.]A.B.

SCHEDULE M — Notice calling up Bond

Form No. 1

To A.B. (insert name and last known address of person...

Take notice that C.D. (name creditor) requires payment of the...

Dated this day of (date of giving notice personally or...

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(To be signed by the creditor, or by his Agent,...

Form No. 2

I, A.B. above named, hereby acknowledge receipt of the foregoing...

Form No. 3

Notice of which the foregoing is a copy was posted...

(To be signed by the creditor, or by his Agent,...

SCHEDULE N — Certificate as to Surplus (if any), or no Surplus, where Land is sold under a Heritable Security

I, A.B. (insert designation), notary public (or law agent) with reference to...

[To be attested.] A.B.

SCHEDULE O — Form of Memorandum to be recorded in the Register of Sasines

Memorandum with regard to the subjects after described:

With reference to the subjects (describe particularly or by reference)...

The memorandum should be signed by the trustee or his...

The form may be adapted in the case of a...

Memorandum with regard to the lease after-mentioned:

With reference to the lease granted by C in favour...

and in the case of a heritable security thus:—

Memorandum with regard to the bond and disposition in security...

With reference to the bond and disposition in security for...

Status:

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