SCOTTISH STATUTORY INSTRUMENTS

2004 No. 507

REGISTERS AND RECORDS

The Fees in the Registers of Scotland Amendment Order 2004

Made - - - -	*25th November 2004*
Coming into force - -	*28th November 2004*

The Scottish Ministers in exercise of the powers conferred by section 25 of the Land Registers (Scotland) Act 1868(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Fees in the Registers of Scotland Amendment Order 2004 and shall come into force on 28th November 2004.

Amendment of the Fees in the Registers of Scotland Order 1995

2. The Fees in the Registers of Scotland Order 1995(**2**) shall be amended as follows.

3. In article 2 (interpretation)–

(a) omit the words "the Schedule to" where they first occur;

(b) after paragraph (a) insert–

"(aa) "the 2003 Act" means the Title Conditions (Scotland) Act 2003(**3**);

(ab) "application for dual registration" means an application made for registration of–

(a) a constitutive deed under section 4(5) of the 2003 Act;

(b) a notice of preservation under section 50 of the 2003 Act;

(c) a deed creating a positive servitude under section 75(1) of the 2003 Act; or

(d) a notice of converted servitude under section 80 of the 2003 Act;

(**1**) 1868 c. 64; section 25 was substituted by section 23 of the Land Registration (Scotland) Act 1979 (c. 33) and amended by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I.1999/1820), article 4 and Schedule 2, paragraph 3. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I. 1995/1945, amended by S.I. 1999/1085 and S.S.I 2001/163.

(**3**) 2003 asp 9.