



THE LAW SOCIETY OF SCOTLAND EXAMINATIONS

CONVEYANCING

Monday 6 SEPTEMBER 2004

**1330 – 1630
(Three Hours)**

**Candidates should answer FOUR questions, TWO from PART
A and TWO from PART B.
All sections of a question must be answered.**

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Candidates should answer SIX questions.

1. Outline the ways in which a real burden can be extinguished. What changes are made by the Title Conditions (Scotland) Act 2003 here?
2. What differences will the abolition of the feudal system make to conveyancing law and practice?
3. Which clauses are typically to be found in missives for the sale of land? Explain their meaning and effect.
4. Compare and contrast the Register of Sasines and the Land Register.
5. In relation to a standard security, explain the following : (a) Forms A and B; (b) an "all sums due and to become due" clause; (c) a deed of restriction; (d) a notice of default and (e) a discharge.
6. What requirements must be satisfied in order to create a real right of lease in Scotland?
7. What does the law require for a deed to be presumed to be validly executed by (a) a natural person and (b) a limited company incorporated in Scotland? What are the benefits of having this presumption?
8. In relation to landownership, discuss the law on conventional and legal separate tenements.