Land Tenure Reform (Scotland) Act 1974 (c. 38)
SCHEDULE 6 – Amendment of Law Relating to Registration of Leases
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SCHEDULES

SCHEDULE 6

AMENDMENT OF LAW RELATING TO REGISTRATION OF LEASES

The Registration of Leases (Scotland) Act 1857

1 In section 1 (long leases, and assignations thereof, registrable in register of sasines), for the words " of thirty-one years, and for any greater number of years that shall be stipulated" there shall be substituted the words " exceeding twenty years ".

2 In section 2 (recorded leases effectual against singular successors in the lands let), the words " at or subsequent to the date of entry therein stipulated " shall cease to have effect

3 Section 16 (registration equivalent to possession) shall be renumbered as subsection (1) of that section, and at the end there shall be added the following subsection—

"(2) The registration of any such lease or other writ as aforesaid, in manner herein provided, on or after 1st September 1974, shall, without prejudice to the foregoing provisions of this section and to the provisions of section 2 of the Prescription and Limitation (Scotland) Act 1973, complete the right under the same to the effect of establishing in virtue thereof such a preference as aforesaid over the right of any party to any such lease or writ, or of any party in his right, granted after that date and not registered in manner herein provided at the time of the registration of the lease or writ first mentioned.".

4 In section 17 (leases with obligation to renew, registrable), for the words " of thirty-one years or upwards" there shall be substituted the words " exceeding twenty years ".

5 Section 18 (which provides that certain leases are not to be registrable where the name and extent of the lands is not given or where they exceed 50 acres) shall cease to have effect.

6 In section 19 (extracts registrable where leases recorded in Court of Session or sheriff court books), the words "before the passing thereof " shall cease to have effect.