



# Long Leases (Scotland) Act 1954

1954 CHAPTER 49 2 and 3 Eliz 2

## <sup>F1</sup>PART I

GRANT OF FEU RIGHT OF PROPERTY LET UNDER CERTAIN LONG LEASES

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### Textual Amendments

**F1** Pt. 1 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

## PART II

EXTENSION AND AMENDMENT OF <sup>M1</sup>REGISTRATION OF LEASES (SCOTLAND) ACT, 1857

### Marginal Citations

**M1** 1857 c. 26

## 26 Extension of 20 & 21 Vict. c. 26.

- (1) Where a lease registrable under the Registration of Leases (Scotland) Act, 1857, has not been recorded in the Register of Sasines and cannot be found, it shall be lawful to record a copy of such lease in the Register of Sasines under the said Act as if it were the lease if there is endorsed on such copy and recorded therewith a probative declaration signed by the landlord and lessee for the time being and containing—
- a statement that the lease cannot be found and that the copy is a true copy of the lease; and
  - the names and designations of the said landlord and lessee (unless such names and designations are set forth in the copy).

*Status: Point in time view as at 28/11/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Long Leases (Scotland) Act 1954. (See end of Document for details)*

- (2) Where the landlord fails to sign a declaration as provided in the foregoing subsection within two months after he has been called upon to do so, the lessee may present an application to the sheriff craving him to ordain the landlord to sign the declaration within such period as to the sheriff shall seem reasonable; and, if the landlord fails to sign the declaration as so ordained, the sheriff may make an order dispensing with the signature to the declaration of the landlord and directing the sheriff clerk to sign the declaration on behalf of the landlord.
- (3) Where in pursuance of an order made by the sheriff under this section a declaration is signed by the sheriff clerk on behalf of a landlord, such declaration shall have the like force and effect as if it had been signed by such landlord.
- (4) Where in pursuance of this section a copy of any lease has been recorded in the Register of Sasines, such lease shall be deemed to have been so recorded on the date of the recording of the said copy.

## 27 †Amendment of s. 18 of 20 & 21 Vict. c. 26.

- (1) .....
- (2) A lease recorded in the Register of Sasines under the said Act of 1857 before the commencement of this Act shall not be held to have been invalidly recorded by reason only that the name of the lands of which the subjects let consist or form a part is not set forth in such lease or by reason only that the extent of the land let is not set forth in such lease, if there is set forth in such lease a particular description of the subjects let under the lease or a description by reference of the said subjects in accordance with the provisions of the <sup>M2</sup>Conveyancing (Scotland) Act, 1874, and the <sup>M3</sup>Conveyancing (Scotland) Act, 1924, .....<sup>F2</sup>

### Textual Amendments

**F2** Words repealed by [Land Tenure Reform \(Scotland\) Act 1974 \(c. 38\), Sch. 6 para. 7, Sch. 7](#)

### Modifications etc. (not altering text)

**C1** Unreliable marginal note

**C2** “the said Act of 1857” means the [Registration of Leases \(Scotland\) Act 1857 \(c. 26\)](#)

### Marginal Citations

**M2** [1874 c. 94.](#)

**M3** [1924 c. 27.](#)

## PART III

### GENERAL

## 28 Applications to sheriff.

- (1) Any dispute arising out of the provisions of this Act shall be referred to the sheriff and determined by him.

*Status: Point in time view as at 28/11/2004.*

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- (2) The decision of the sheriff in any application made to him under this or any other section of this Act shall be final and not subject to review.
- (3) The sheriff may in any such application make such award of expenses as he thinks proper, or may make no award of expenses.
- (4) Any such application shall be conducted and disposed of in a summary manner.
- (5) In this Act any reference to the sheriff shall, in relation to any lease or sub-lease, be construed as a reference to the sheriff within whose jurisdiction the property let under such lease or sub-lease, or any part of such property, is situated.

## **29 Application to Crown.**

This Act shall, subject to the provisions of section four thereof, apply where there is an interest belonging to Her Majesty in right of the Crown or to a Government department or held on behalf of Her Majesty for the purposes of a Government department in like manner as where no such interest subsists.

## **F<sup>3</sup>30 Construction of references to enactments.**

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### **Textual Amendments**

**F3** S. 30 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

## **31 Citation, commencement and extent.**

- (1) This Act may be cited as the Long Leases (Scotland) Act, 1954.
- (2) This Act shall come into operation on the first day of September, nineteen hundred and fifty-four.
- (3) This Act shall apply to Scotland only.

**Status:**

Point in time view as at 28/11/2004.

**Changes to legislation:**

There are currently no known outstanding effects for the Long Leases (Scotland) Act 1954.