



Long Leases (Scotland) Act 1954

1954 CHAPTER 49

PART I

GRANT OF FEU RIGHT OF PROPERTY LET UNDER CERTAIN LONG LEASES

Conveyancing provisions

11 Feu contract to be entered into on grant of feu right

Where a feu right is to be granted under this Part of this Act of any subjects let under a lease, a feu contract shall be entered into which shall be in, or as nearly as may be in, the form set out in the Fourth Schedule to this Act, and in particular—

- (a) shall dispose the subjects subject to the conditions and restrictions specified in the lease in so far as they affect the subjects, are still subsisting and applicable and have not been implemented, departed from or discharged, and to such other conditions and restrictions, being reasonable and appropriate in the circumstances, as may be determined by agreement between the parties or, in default of such agreement, by the sheriff:

Provided that where the trustees of any religious denomination are the occupying lessee, there shall not without their consent be included in the feu contract a condition restricting the use of the subjects to use as a dwelling-house by a minister or full-time lay missionary of a religious denomination ;

- (b) shall contain a renunciation by the occupying lessee of the lease or sub-lease, as the case may be, under which he holds the interest of lessee, to the extent that such lease or sub-lease relates to the subjects ; and
- (c) where the occupying lessee is a sub-lessee, shall contain a renunciation by each intermediate landlord of the lease or sub-lease, as the case may be, under which such intermediate landlord holds the interest of lessee, to the extent that such lease or sub-lease relates to the subjects.