



Heritable Securities (Scotland) Act 1894

1894 CHAPTER 44 57 and 58 Vict

7 Sheriff may grant power to lease security subjects for longer periods, not more than 21 years for heritable property in general, and 31 years for minerals.

Any creditor in possession of lands [^{F1}by virtue of an adjudication] may apply to the sheriff for warrant to let the lands ^{F2}... or part thereof, for a period exceeding seven years, setting forth the name of the proposed tenant or tenants, the duration and conditions of the proposed lease; and the sheriff may, after service on the proprietor and on the other heritable creditors, if any, and after such intimation and inquiry as he may think proper, and if satisfied that a lease for a longer period than seven years is expedient for the beneficial occupation of the lands, approve of the proposed lease on the terms and conditions proposed, or on such other terms and conditions as may appear to him expedient: Provided always, that such lease shall in no case exceed twenty-one years for heritable property in general and thirty-one years for minerals.

Textual Amendments

- F1** Words in s. 7 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 para. 13\(3\)\(a\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F2** Words in s. 7 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [Sch. 12 para. 13\(3\)\(b\)](#), [13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Modifications etc. (not altering text)

- C1** S. 7 excluded by [Conveyancing and Feudal Reform \(Scotland\) Act 1970 \(C. 35\)](#), s. 32, [Sch. 8 para. 19](#)

Changes to legislation:

Heritable Securities (Scotland) Act 1894, Section 7 is up to date with all changes known to be in force on or before 04 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 7 repealed by [2007 asp 3 Sch. 6 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act explained by [2007 asp 3 s. 126](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(2A) inserted by [2014 asp 18 sch. 5 para. 20](#)
- Sch. A-C repealed by [2007 asp 3 Sch. 6 Pt. 1](#)