



# Long Leases (Scotland) Act 1954

## 1954 CHAPTER 49

### PART I

#### GRANT OF FEU RIGHT OF PROPERTY LET UNDER CERTAIN LONG LEASES

##### *Supplementary provisions*

#### **18 Rules for determining duration of lease or sub-lease**

- (1) For the purposes of this Part of this Act, the following rules shall apply in determining the duration of any lease or sub-lease:—
- (a) where the lease or sub-lease contains an obligation upon the person holding the interest of landlord thereunder to renew the same from time to time at fixed periods or upon the termination of a life or lives, the lease or sub-lease, as the case may be, shall be deemed to endure for the full period to which the obligation to renew applies;
  - (b) where the duration of the lease or sub-lease is wholly or partly dependent upon the endurance of a life or lives, then—
    - (i) in the case of the life of a person no longer in existence, regard shall be had to the period for which such life existed or, if such period cannot be ascertained, the endurance of such life shall be deemed to be thirty-five years ;
    - (ii) in the case of the life of an identifiable person in existence, the expectancy of life of such person shall be determined in accordance with the table set out in the Fifth Schedule to this Act;
    - (iii) in the case of the life of a person not yet in existence or not identifiable, the endurance of such life shall be deemed to be thirty-five years ;
  - (c) where the person holding the interest of landlord under the lease or sub-lease has an option thereunder to terminate such lease or sub-lease on a date falling after the commencement of this Act, the lease or sub-lease, as the case may be, shall be deemed to expire on such date or, where there is more than one such date, on the first such date.

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*Status: This is the original version (as it was originally enacted).*

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- (2) For the purposes of section one of this Act, in determining the duration of any lease or sub-lease, regard shall not be had to the application (if any) to the lease or sub-lease of the Long Leases (Temporary Provisions) (Scotland) Act, 1951, as extended by the Leasehold Property Act and Long Leases (Scotland) Act Extension Act, 1953, or of sections fifteen or seventeen of this Act.