



Entail Amendment Act

1853 CHAPTER 94 16 and 17 Vict

6 Competent to present continuing petitions for authority to grant feus and long leases.

It shall be lawful for the Court, upon an application by any heir of entail, entitled, in terms of the said recited Act, to apply for the authority and approbation of the Court to the granting of feus and long leases, to an extent not exceeding in all one eighth part in value for the time of the entailed estate, to fix and determine the minimum rates of feu duty or tack duty at which the lands specified in such application, or the different portions of such lands where the same are of different values, may be feued or let on long leases; and such minimum rate or rates of feu duty or tack duty, being so fixed by interlocutor of the Court, shall be acted upon with reference to all feus or long leases which may be granted from time to time under such application, unless the Court, upon being moved to that effect by such heir of entail, or by any other party entitled to appear, shall afterwards alter the same, (which the Court is hereby authorized to do, from time to time, upon motion to that effect as aforesaid,) in which case such altered rate or rates of feu duty or tack duty shall be substituted for the rate or rates of feu duty or tack duty previously established; and in like manner it shall be lawful for the Court, upon such application as aforesaid, to approve, by interlocutor, of a form, of feu charter, feu contract, or feu disposition, or a form of long lease, to be made use of under such application, from time to time as such feus or long leases shall be granted, and to grant authority to such heir of entail to grant feus or long leases in the form so approved of, from time to time, as he shall think proper, subject to any conditions or stipulations which the Court may deem necessary; and such form may be altered by the Court from time to time as the Court shall see fit in the course of the proceedings: Provided always that it shall not be lawful for such heir of entail to take any grassum or fine or other valuable consideration other than the feu duty or rent for granting any such feu or lease, nor to grant any such feu or lease of the mansion house, offices, or policies of the estate; and in case any such grassum, fine, or consideration shall be taken, and in case any feu or lease hereby prohibited shall be granted, such feu or lease shall be null and void.

Changes to legislation:

Entail Amendment Act, Section 6 is up to date with all changes known to be in force on or before 08 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](#)

Commencement Orders yet to be applied to the Entail Amendment Act

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2003/456 art. 2](#) commences (2000 asp 5)