



Abolition of Feudal Tenure etc. (Scotland) Act 2000

2000 asp 5

PART 6

MISCELLANEOUS

Miscellaneous

67 Prohibition on leases for periods of more than 175 years

- (1) Notwithstanding any provision to the contrary in any lease, no lease of land executed on or after the coming into force of this section (in this section referred to as the “commencement date”) may continue for a period of more than 175 years; and any such lease which is still subsisting at the end of that period shall, by virtue of this subsection, be terminated forthwith.
- (2) If a lease of land so executed includes provision (however expressed) requiring the landlord or the tenant to renew the lease then the duration of any such renewed lease shall be added to the duration of the original lease for the purposes of reckoning the period mentioned in subsection (1) above.
- (3) Nothing in subsection (1) above shall prevent—
 - (a) any lease being continued by tacit relocation; or
 - (b) the duration of any lease being extended by, under or by virtue of any enactment.
- (4) Subsections (1) and (2) above do not apply—
 - (a) to a lease executed on or after the commencement date in implement of an obligation entered into before that date;
 - (b) to a lease executed after the commencement date in implement of an obligation contained in a lease such as is mentioned in paragraph (a) above; or
 - (c) where—
 - (i) a lease for a period of more than 175 years has been executed before the commencement date; or

Status: This is the original version (as it was originally enacted).

- (ii) a lease such as is mentioned in paragraph (a) or (b) above is executed on or after that date,
to a sub-lease executed on or after that date of the whole, or part, of the land subject to the lease in question.
- (5) For the purposes of this section “lease” includes sub-lease.