



Long Leases (Scotland) Act 1954

1954 CHAPTER 49

PART II

EXTENSION AND AMENDMENT OF REGISTRATION OF LEASES (SCOTLAND) ACT, 1857

26 Extension of 20 and 21 Vict. c. 26

- (1) Where a lease registrable under the Registration of Leases (Scotland) Act, 1857, has not been recorded in the Register of Sasines and cannot be found, it shall be lawful to record a copy of such lease in the Register of Sasines under the said Act as if it were the lease if there is endorsed on such copy and recorded therewith a probative declaration signed by the landlord and lessee for the time being and containing—
 - (a) a statement that the lease cannot be found and that the copy is a true copy of the lease ; and
 - (b) the names and designations of the said landlord and lessee (unless such names and designations are set forth in the copy).
- (2) Where the landlord fails to sign a declaration as provided in the foregoing subsection within two months after he has been called upon to do so, the lessee may present an application to the sheriff craving him to ordain the landlord to sign the declaration within such period as to the sheriff shall seem reasonable; and, if the landlord fails to sign the declaration as so ordained, the sheriff may make an order dispensing with the signature to the declaration of the landlord and directing the sheriff clerk to sign the declaration on behalf of the landlord.
- (3) Where in pursuance of an order made by the sheriff under this section a declaration is signed by the sheriff clerk on behalf of a landlord, such declaration shall have the like force and effect as if it had been signed by such landlord.
- (4) Where in pursuance of this section a copy of any lease has been recorded in the Register of Sasines, such lease shall be deemed to have been so recorded on the date of the recording of the said copy.