



# Long Leases (Scotland) Act 2012

## 2012 asp 9

### PART 4

#### COMPENSATION FOR LOSS OF LANDLORD'S RIGHTS

##### *Annual rent*

#### **48 Determination of the annual rent**

- (1) For the purposes of section 47, the annual rent in relation to a lease is—
  - (a) where the lease is not a partially continuing lease and the rent payable immediately before the appointed day was a *cumulo* rent, the annual rent allocated to the lease under section 40,
  - (b) where the lease is a partially continuing lease, the annual rent allocated to the converted subjects under section 41,
  - (c) in any other case, the annual rent payable under the lease.
- (2) Any rent payable under the lease which is expressed wholly or partly in non-monetary terms is, to the extent that it is so expressed, to be left out of account.
- (3) Any rent payable under the lease which is variable from year to year is, to the extent that it is so variable, to be left out of account.