



Long Leases (Scotland) Act 2012

2012 asp 9

PART 6

GENERAL AND MISCELLANEOUS

Notices etc.

78 Certain documents registrable despite initial rejection

- (1) This section applies where one of the following is rejected by the Keeper—
 - (a) a notice submitted before the appointed day for registration under section 8(2) or Part 2,
 - (b) an agreement submitted before the appointed day for registration under section 17(1)(c),
 - (c) an exemption notice submitted before the day falling 2 months before the appointed day for registration under section 63, or
 - (d) an agreement submitted before the day falling 2 months before the appointed day for registration under section 64(1)(c).
- (2) Where a court or the Lands Tribunal determines the notice or agreement is registrable, it may be registered not later than the day falling 2 months after the day on which the court or the Lands Tribunal made the determination.
- (3) An exemption notice or an agreement mentioned in subsection (1)(d) which is registered under subsection (2) on or after the day falling 2 months before the appointed day is to be treated as if it had been registered before that day.
- (4) Any other notice or agreement which is registered under subsection (2) on or after the appointed day is to be treated as if it had been registered before the appointed day.
- (5) The Scottish Ministers may by order—
 - (a) specify a date after which (or a period after the expiry of which) notices and agreements cannot be registered under subsection (2),
 - (b) provide that subsection (2) applies only where the application to the court or to the Lands Tribunal which resulted in the determination is made within such period as the order may specify.

Changes to legislation: There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 78. (See end of Document for details)

(6) In this section, “court” means Court of Session or sheriff.

Modifications etc. (not altering text)

- C1** S. 78(2) modified (6.3.2014) by [The Long Leases \(Appeal Period\) \(Scotland\) Order 2014 \(S.S.I. 2014/8\)](#), arts. 1, **2**
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Commencement Information

- I1** S. 78(1)-(4) in force at 6.3.2014 by [S.S.I. 2013/322](#), **art. 4**
- I2** S. 78(5)(6) in force at 28.11.2013 by [S.S.I. 2013/322](#), **art. 2(j)**

Changes to legislation:

There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 78.