

## SCHEDULE 2

### TRANSITORY AND SAVING PROVISIONS

#### **Saving provisions: The Organic Aid (Scotland) Regulations 2004**

- 4.—(1) The modification made by paragraph 2(3) of schedule 1 has no effect in relation to—
- (a) a lease constituting a 1991 Act tenancy which is bequeathed in accordance with section 11 of the 1991 Act (bequest of lease), where the will or other testamentary writing containing the bequest was made before 23rd December 2016;
  - (b) a relevant lease which is bequeathed in accordance with section 21 of the 2003 Act (bequest of lease), where the will or other testamentary writing containing the bequest was made before 23rd December 2016.
- (2) The modification made by paragraph 2(3) of schedule 1 has no effect in relation to an interest of a tenant under a lease constituting a 1991 Act tenancy where—
- (a) that interest is comprised in the estate of a deceased person;
  - (b) that person died before 23rd December 2016; and
  - (c) at the time of that person's death, that person had made no will or other testamentary writing containing a bequest of that lease.
- (3) The modification made by paragraph 2(3) of schedule 1 has no effect in relation to an interest of a tenant under a relevant lease where—
- (a) that interest is comprised in the estate of a deceased person;
  - (b) that person died before 23rd December 2016; and
  - (c) at the time of that person's death, that person had made no will or other testamentary writing containing a bequest of that lease.