

*These notes relate to the Tenements (Scotland) Act 2004
(asp 11) which received Royal Assent on 22 October 2004*

TENEMENTS (SCOTLAND) ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Support and Shelter

Section 7 – Abolition as respects tenements of common law rules of common interest

49. *Section 7* abolishes the common law rules of common interest as they apply to tenements. This section should be read with *sections 8 and 9* which restate the common law in statutory form.
50. Although the doctrine of common interest will no longer apply to tenements, it will still be applicable in any dispute involving a tenement building and any other building (whether a tenement or not) or any land not pertaining to the tenement.