

*These notes relate to the Long Leases (Scotland) Act 2012  
(asp 9) which received Royal Assent on 7 August 2012*

# **LONG LEASES (SCOTLAND) ACT 2012**

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## **EXPLANATORY NOTES**

### **PART 1: CONVERSION OF LONG LEASE TO OWNERSHIP**

#### *Determination of “qualifying lease”*

#### *Section 3: Only one lease is qualifying lease*

22. This section sets out rules where land is subject to two or more leases which satisfy the requirements in section 1.
23. If land has been sublet, the sublease too might fulfil the criteria for conversion. The intention is that the last lease should qualify for conversion. If the sublease affects only part of the land originally leased, conversion would apply to this part and the head lease would be the qualifying lease for the remaining part. For example, if A, the owner of land, leases 10 hectares to B for 999 years and B in turn sublets 4 of these hectares to C for 920 years, C is the qualifying tenant in relation to the 4 hectares and B in relation to the remaining 6 hectares.