



# Long Leases (Scotland) Act 2012

## 2012 asp 9

### PART 6

#### GENERAL AND MISCELLANEOUS

VALID FROM 28/09/2015

#### *Extinction of right of irritancy in certain leases*

#### **73 Extinction of right of irritancy in certain leases**

- (1) On and after the day on which this section comes into force, it is not competent for a lease to which subsection (2) applies to be terminated by irritancy.
- (2) This subsection applies to a lease which, immediately before the day on which this section comes into force, is a right of lease in land which—
  - (a) complies with section 1(3), or
  - (b) had it been registered, would comply with that section.
- (3) But subsection (2) does not apply to a lease which, on the day this section comes into force, is an exempt lease by virtue of section 64.
- (4) Any proceedings already commenced to enforce any right of irritancy in relation to a lease to which subsection (2) applies are deemed to be abandoned on the day on which this section comes into force and may, without further process and without any requirement that full judicial expenses be paid by the pursuer, be dismissed accordingly.
- (5) Subsection (4) does not affect any cause in which final decree (that is to say, any decree or interlocutor which disposes of the cause and is not subject to appeal or review) is granted before the coming into force of this section.

**Status:**

Point in time view as at 28/11/2013. This version of this cross heading contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Cross Heading: Extinction of right of irritancy in certain leases.