Long Leases (Scotland) Act 2012

2012 asp 9

PART 1

CONVERSION OF LONG LEASE TO OWNERSHIP

Determination of "qualifying lease"

3 Only one lease is qualifying lease

(1) This section applies where land is subject to two or more potential qualifying leases.

(2) Subsections (3) and (4) have effect for the purposes of determining—

(a) which of the leases is the qualifying lease, and

(b) of which land the lease is a qualifying lease.

(3) A potential qualifying lease is not a qualifying lease if all of the land which forms the subjects of the lease forms the subjects of an inferior lease.

(4) In any other case, a potential qualifying lease is the qualifying lease of land that—

(a) forms the subjects of the potential qualifying lease, but

(b) does not form the subjects of an inferior lease.

(5) In this section—

"potential qualifying lease" means a lease that complies with section 1(3),

"inferior lease", in relation to a potential qualifying lease, means a sublease—

(a) of the whole or part of the subjects of the potential qualifying lease, and

(b) which is itself a potential qualifying lease.

Commencement Information

I1 S. 3 in force at 28.11.2013 by S.S.I. 2013/322, **art. 2(a)**

Changes to legislation:
There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 3.