Long Leases (Scotland) Act 2012

2012 asp 9

PART 6

GENERAL AND MISCELLANEOUS

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.

Commencement Information

I1 S. 73 in force at 28.9.2015 by S.S.I. 2013/322, **art. 5**

Changes to legislation:
There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 73.