



Housing (Scotland) Act 2014

2014 asp 14

PART 7

MISCELLANEOUS

93 Right to redeem heritable security after 20 years: power to exempt

- (1) In section 11 of the Land Tenure Reform (Scotland) Act 1974 (c.38) (right to redeem heritable security after 20 years where security subjects used as a private dwelling), after subsection (3C) insert—

“(3D) The right to redeem a heritable security conferred by this section does not apply to a heritable security which is in security of a debt of a description specified in an order made by the Scottish Ministers.

(3E) An order under subsection (3D) may—

- (a) disapply the right to redeem conferred by this section subject to conditions or restrictions,
- (b) restrict the disapplication of the right to redeem conferred by this section to—
 - (i) specified descriptions of debt,
 - (ii) specified creditors, or creditors of specified descriptions,
 - (ii) specified heritable securities, or heritable securities of specified descriptions,
- (c) prescribe circumstances in which the disapplication of the right to redeem conferred by this section is to apply or cease to apply.

(3F) An order under subsection (3D) is subject to the negative procedure.”.

- (2) In section 21 of the Land Tenure Reform (Scotland) Act 1974 (provisions for contracting out to be void), for “and 11(3A)” substitute “, 11(3A) and 11(3D)”.