

Status: Point in time view as at 14/07/2006.

Changes to legislation: There are currently no known outstanding effects for the Interests of Members of the Scottish Parliament Act 2006, Cross Heading: Heritable property. (See end of Document for details)

SCHEDULE REGISTRABLE FINANCIAL INTERESTS

Heritable property

- 8 (1) Where a member owns or holds, or has owned or held, any heritable property and sub-paragraph (2) applies.
- (2) This sub-paragraph applies where either—
- (a) the market value of the heritable property, at the relevant date, exceeds 50 per cent of a member's salary on that date (rounded down to the nearest £10); or
 - (b) the gross income from the heritable property for the period of twelve months prior to the relevant date is greater than such amount as the Parliament may determine.
- (3) Sub-paragraph (1) applies to heritable property which a member owns or holds, or has owned or held—
- (a) solely in his or her own name;
 - (b) jointly with any other person or body; or
 - (c) as a trustee, whether or not jointly with other trustees, where the member has an interest as a beneficiary of the trust.
- (4) Sub-paragraph (1) does not apply to heritable property—
- (a) which is used as a residential home by the member or the member's spouse, civil partner or cohabitant;
 - (b) which was used as a residential home by the member or the member's spouse, civil partner or cohabitant but which, for a period of not more than 12 months, is or was unoccupied and for sale; or
 - (c) which forms part of the assets of a partnership and any income from that partnership is, or forms part of, the remuneration registered under paragraph 2 of this schedule.
- (5) Where a member has ceased to own or hold any heritable property before the date on which the member was returned as a member, the relevant date is the date when the heritable property ceased to be so owned or held.
- (6) Where a member owned or held any heritable property at the date on which the member was returned as a member, the relevant date is—
- (a) that date; and
 - (b) the 5th April immediately following that date and in each succeeding year, where the heritable property continues to be so owned or held on that 5th April.
- (7) Where a member becomes the owner of or acquires any heritable property after the date on which that member was returned as a member, the relevant date is—
- (a) the date on which the member became the owner of or acquired that heritable property; and
 - (b) the 5th April immediately following that date and in each succeeding year, where the heritable property continues to be so owned or held on that 5th April.

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Commencement Information

- II** Sch. para. 8(2)(b) in force for specified purposes at 14.7.2006, see s. 21(3); Sch. para. 8 otherwise comes into force in accordance with s. 21(4)

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