



Long Leases (Scotland) Act 2012

2012 asp 9

PART 3

ALLOCATION OF RENTS AND RENEWAL PREMIUMS ETC.

Key terms

38 Cumulo rent and cumulo renewal premium

(1) In this Act—

“*cumulo* rent” means, subject to subsection (2), a single rent payable in relation to two or more leases, and

“*cumulo* renewal premium” means, subject to subsections (2) to (4), a single renewal premium payable in relation to two or more leases.

(2) Where such rent or renewal premium—

(a) has been apportioned between—

(i) those leases, or

(ii) some of those leases, and

(b) the parties to those leases consented (whether expressly or by implication) to the apportionment,

any rent or renewal premium so apportioned is not *cumulo* rent or (as the case may be) not a *cumulo* renewal premium and is the rent or renewal premium payable under the lease for the purposes of this Act.

(3) Subsection (4) applies if—

(a) subsection (2) applies to rent payable under two or more leases, and

(b) a single renewal premium is payable under the leases.

(4) For the purposes of this Act—

(a) the renewal premium is to be treated as if it were apportioned between the leases in the same proportion as the apportionment of rent, and

(b) that apportioned renewal premium is the renewal premium payable under the lease.