
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

The Right to Buy Land to Further Sustainable Development (Eligible Land, Specified Types of Area and Restrictions on Transfers, Assignations and Dealing) (Scotland) Regulations 2020

Eligible land

Eligible land: types of occupancy or possession that are to be treated as a tenancy

3.—(1) The types of occupation and possession that are to be treated as a tenancy for the purposes of section 46(2)(a) (eligible land) of the Act are—

- (a) occupation or possession of tied accommodation,
- (b) occupation or possession under a licence agreement that is in the nature of a tenancy,
- (c) occupation or possession of residential accommodation other than under a tenancy—
 - (i) in connection with an individual’s employment or education, and
 - (ii) in a building or structure that is owned or occupied by the employer or education provider,
- (d) temporary occupation or possession offered, on a night-by-night basis, other than under a tenancy, to individuals who are homeless persons, and
- (e) occupation or possession by a liferenter.

(2) In this regulation —

“liferenter” means an individual who, by virtue of a liferent, has the right—

- (a) to receive for life the benefits of the property, and
- (b) to live in the building or structure, or on the land, for life,

“tied accommodation” means accommodation provided to an individual by their employer in the form of a service occupancy (that is, in return or part return for the performance by the individual of services under the employment agreement).