
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 201

The Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018

Eligible land

Occupancy or possession that constitutes tenancy

7.—(1) The descriptions and classes of occupancy or possession which are, or are to be treated as, a tenancy for the purposes of section 97C(5)(a) 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) occupancy or possession of residential accommodation—
 - (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 occupancy or possession offered, on a night-by-night basis, to individuals who are homeless persons; and
- (e) occupancy 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; and

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