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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 114**

**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).