SCOTTISH STATUTORY INSTRUMENTS

2020 No. 77

The Scottish Crown Estate Act 2019 (Commencement No. 2 and Saving Provisions) Regulations 2020

Saving provisions – General

3.—(1) Where paragraph (2), (4), (6) or (8) applies, section 36(7) of the Scotland Act 2016(**1**) continues to have effect in relation to the relevant asset on and after 1 April 2020 as it had effect immediately before that date.

(2) This paragraph applies where a Scottish Crown Estate asset has been disposed of prior to 1 April 2020.

(3) For the purposes of paragraph (2), an asset is treated as having been disposed of at the point at which missives for the disposal of the asset were fully executed.

(4) This paragraph applies where a servitude right has been granted in or over a Scottish Crown Estate asset prior to 1 April 2020.

(5) For the purposes of paragraph (4), a servitude right is treated as having been granted in or over the asset at the point at which an agreement to grant the servitude right was fully executed.

(6) This paragraph applies where a Scottish Crown Estate asset is subject to an options agreement concluded prior to 1 April 2020.

(7) For the purposes of paragraph (6), an options agreement is treated as having been concluded at the point at which it was fully executed.

(8) This paragraph applies where a Scottish Crown Estate asset is subject to an agreement for lease concluded prior to 1 April 2020.

(9) For the purposes of paragraph (8), an asset is treated as being subject to a concluded agreement for lease at the point at which the agreement was fully executed.

(10) Paragraph (4), (6) or (8), as the case may be, ceases to apply to a right or agreement if that right or agreement is extended or varied on or after 1 April 2020.

(11) In this regulation "options agreement" means an agreement that either-

(a) gives a party to it the option to purchase an asset at an agreed price within a stated period of time; or

(b) gives a party to it the option to purchase an asset and contains a method for determining a price at a specified point in time.

(**1**) 2016 c.11.