



Land Compensation (Scotland) Act 1973

1973 CHAPTER 56

PART III

PROVISIONS FOR BENEFIT OF PERSONS DISPLACED FROM LAND

Home loss payments

[27A ^{F1}Spouses having statutory occupancy rights.

(1) This section applies where, by reason of the entitlement of one spouse (“A”) to occupy a dwelling by virtue of an interest or right to which section 27 above applies, the other spouse (“B”) acquires occupancy rights (within the meaning of the ^{M1}Matrimonial Homes (Family Protection) (Scotland) Act 1981).

(2) So long as—

- (a) those occupancy rights continue;
- (b) B is in occupation of the dwelling and A is not; and
- (c) B is not, apart from this section, treated as occupying the dwelling by virtue of an interest or right to which that section applies,

B shall be treated for the purposes of that section as occupying the dwelling by virtue of such an interest (but not an owner’s interest within the meaning of section 28 below).

(3) References in this section to a dwelling include a reference to a substantial part of it.]

Textual Amendments

F1 S. 27A inserted (25.9.1991) (subject to limitation referred to in S.I. 1991/2092, art. 4(1), **Sch. 2 Pt. II**) by **Planning and Compensation Act 1991 (c. 34, SIF 28:2)**, **s. 72** (with s. 84(5)); S.I. 1991/2092, **art. 3**

Marginal Citations

M1 1981 c. 59.

Changes to legislation:

There are currently no known outstanding effects for the Land Compensation (Scotland) Act 1973, Section 27A.