

*These notes relate to the Tenements (Scotland) Act 2004
(asp 11) which received Royal Assent on 22 October 2004*

TENEMENTS (SCOTLAND) ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Demolition and Abandonment of Tenement Building

Section 20 – Demolition of a tenement building not to affect ownership

97. This section provides, in *subsection (1)*, that an owner will continue to own the airspace formerly occupied by their flat after it is demolished. “Demolition” is defined in *section 29(1)*.
98. *Subsection (2)* ensures that any pertinents attaching to a tenement building immediately prior to demolition will continue to belong to their previous owners after demolition, even though they no longer serve a flat.