



# Long Leases (Scotland) Act 2012

## 2012 asp 9

### PART 3

#### ALLOCATION OF RENTS AND RENEWAL PREMIUMS ETC.

##### *Allocation of rent*

#### **41 Partially continuing leases: allocation of rent**

- (1) The landlord in relation to a partially continuing lease must, before the expiry of the period of 2 years beginning with the appointed day, allocate the annual rent between the converted subjects and continuing subjects.
- (2) In subsection (1), the annual rent is—
  - (a) the annual rent payable under the lease immediately before the appointed day, or
  - (b) where a *cumulo* rent is allocated to the lease under section 40(2), the annual rent so allocated.
- (3) The allocation under subsection (1) must be in such proportions as are reasonable in all the circumstances.
- (4) The annual rent payable from the appointed day under the partially continuing lease is the annual rent allocated to the continuing subjects under subsection (1).