



Long Leases (Scotland) Act 2012

2012 asp 9

PART 1

CONVERSION OF LONG LEASE TO OWNERSHIP

Determination of “qualifying lease”

3 Only one lease is qualifying lease

- (1) This section applies where land is subject to two or more potential qualifying leases.
- (2) Subsections (3) and (4) have effect for the purposes of determining—
 - (a) which of the leases is the qualifying lease, and
 - (b) of which land the lease is a qualifying lease.
- (3) A potential qualifying lease is not a qualifying lease if all of the land which forms the subjects of the lease forms the subjects of an inferior lease.
- (4) In any other case, a potential qualifying lease is the qualifying lease of land that—
 - (a) forms the subjects of the potential qualifying lease, but
 - (b) does not form the subjects of an inferior lease.
- (5) In this section—
 - “potential qualifying lease” means a lease that complies with section 1(3),
 - “inferior lease”, in relation to a potential qualifying lease, means a sublease—
 - (a) of the whole or part of the subjects of the potential qualifying lease, and
 - (b) which is itself a potential qualifying lease.