



# Long Leases (Scotland) Act 2012

## 2012 asp 9

### PART 4

#### COMPENSATION FOR LOSS OF LANDLORD'S RIGHTS

##### *Renewal premiums*

#### **49 Calculation of notional annual renewal premium**

- (1) This section applies where—
- (a) a lease contains a renewal obligation,
  - (b) the renewal premium (determined in accordance with subsection (3)) next payable on or after the appointed day is less than or equal to £100, and
  - (c) the lease complies with section 1(3)(b) and (c) by virtue of section 71(1)(b).

- (2) For the purpose of section 47, the notional annual renewal premium is calculated according to the following formula—

$$\text{NARP} = \frac{\text{RP}}{\text{Y}}$$

where—

NARP is the notional annual renewal premium,

RP is the renewal premium (determined in accordance with subsection (3)) next payable on or after the appointed day,

Y is the renewal period (expressed as a number of years).

- (3) The renewal premium is—
- (a) where the lease is not a partially continuing lease and the renewal premium payable immediately before the appointed day was a *cumulo* renewal premium, the renewal premium allocated to the lease under section 42,
  - (b) where the lease is a partially continuing lease, the renewal premium allocated to the converted subjects under section 43,
  - (c) in any other case, the renewal premium payable under the lease.