



# Long Leases (Scotland) Act 2012

## 2012 asp 9

### PART 1

#### CONVERSION OF LONG LEASE TO OWNERSHIP

##### *Determination of “qualifying lease”*

#### **2 Further provision about annual rent**

- (1) This section applies for the purposes of section 1(4)(a) in determining the annual rent payable under a lease.
- (2) Subject to subsections (4) to (6), the rent payable under a lease is the rent as set out in a document mentioned in subsection (3).
- (3) The documents are—
  - (a) the lease,
  - (b) a registered assignation of the lease, or
  - (c) a registered minute of variation or agreement in relation to the lease.
- (4) Where a *cumulo* rent is payable in relation to two or more leases, the annual rent payable under each lease is deemed to be nil.
- (5) Any rent payable under a lease which is expressed wholly or partly in non-monetary terms is, to the extent that it is so expressed, to be left out of account.
- (6) Any rent payable under a lease which is variable from year to year is, to the extent that it is so variable, to be left out of account.