



Long Leases (Scotland) Act 2012

2012 asp 9

PART 1

CONVERSION OF LONG LEASE TO OWNERSHIP

Consequences of conversion

6 Subordinate real rights, reservations and pertinent

- (1) This section applies where a right of ownership in land is created by the conversion of a qualifying lease under section 4(1)(a) (such land being referred to in this section as “the converted land”).
- (2) The converted land is subject to any subordinate real rights to which the qualifying lease was, immediately before the appointed day, subject.
- (3) The converted land is, subject to subsection (4), subject to—
 - (a) any subordinate real rights (other than any superior lease extinguished by virtue of section 4(1)(c)), and
 - (b) any other encumbrances,to which the converted land itself was, immediately before the appointed day, subject.
- (4) Any heritable security or proper liferent to which the converted land itself was subject immediately before the appointed day is, on that day and to the extent that the security or liferent affected the land, extinguished.
- (5) The converted land—
 - (a) includes any pertinent (whether express or implied) of the qualifying lease which, by its nature, may be a pertinent of land, and
 - (b) excludes anything capable of being held as a separate tenement in land (including any right so held by virtue of section 8) which is reserved (whether expressly or by implication) from—
 - (i) the qualifying lease, or
 - (ii) any superior lease.