
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 322 (C. 25)

LAND REFORM

The Long Leases (Scotland) Act 2012
(Commencement No. 1) Order 2013

Made - - - - 12th November 2013
*Laid before the Scottish
Parliament* - - - - 14th November 2013
Coming into force - - 28th November 2013

The Scottish Ministers make the following Order in exercise of the powers conferred by section 83(2) of the Long Leases (Scotland) Act 2012⁽¹⁾.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Long Leases (Scotland) Act 2012 (Commencement No. 1) Order 2013 and comes into force on 28th November 2013.

(2) In this Order, “the Act” means the Long Leases (Scotland) Act 2012.

Provisions coming into force on 28th November 2013

2. The day appointed for the coming into force of these provisions of the Act is 28th November 2013—

- (a) sections 1 to 7;
- (b) sections 10 to 12;
- (c) sections 29 to 36;
- (d) sections 45 to 55;
- (e) sections 57 to 62;
- (f) sections 65 and 66;
- (g) section 68;
- (h) sections 70 (which sets the appointed day) to 72;
- (i) sections 74 to 76;
- (j) section 78(5) and (6);

- (k) section 80;
- (l) paragraph 3(2) to (4) of the schedule to the Act and section 79 for the purpose of that commencement; and
- (m) the provisions listed in the Schedule to this Order only for the purpose of making regulations under those provisions.

Provisions coming into force on 21st February 2014

3. Insofar as not already in force, the day appointed for the coming into force of these provisions of the Act is 21st February 2014—

- (a) sections 8 and 9;
- (b) sections 13 to 28;
- (c) sections 37 to 44 (Part 3 - allocation of rents and renewal premiums etc.);
- (d) section 56;
- (e) sections 63 and 64;
- (f) section 67;
- (g) section 69;
- (h) section 77; and
- (i) section 79 and the schedule to the Act.

Provisions coming into force on 6th March 2014

4. The day appointed for the coming into force of section 78(1) to (4) (certain documents registrable despite initial rejection) of the Act is 6th March 2014.

Provisions coming into force on 28th September 2015

5. The day appointed for the coming into force of section 73 (extinction of right of irritancy in certain leases) of the Act is 28th September 2015.

St Andrew's House, Edinburgh
12th November 2013

R CUNNINGHAM
Authorised to sign by the Scottish Ministers

SCHEDULE

Article 2(m)

Powers commenced on 28th November 2013 only for the purposes of making regulations

section 8(2)

section 14(3)(a)

section 17(4)(a)

section 23(3)(a)

section 24(2)(a)

section 25(2)(a)

section 26(2)(a)

section 27(3)(a)

section 28(3)(a)

section 56(3)(a) and (c)

section 63(b)

section 64(2)(a)

section 67(1)(b)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the Long Leases (Scotland) Act 2012 (“the Act”).

Article 2 commences various provisions of the Act on 28th November 2013.

The provisions include those which convert the right of lease to the right of ownership on the appointed day (section 4) and fix the appointed day (section 70).

In accordance with section 70 of the Act, “the appointed day”
for the purposes of the Act will be 28th November 2015.

Article 3 commences various provisions of the Act on 21st February 2014. The provisions include those relating to steps to be taken under the Act, such as the execution, service and registration of notices (sections 8, 14, 17, 23 to 28, 63 and 67), preliminary notices under section 56 where the claim by a landlord from a tenant for compensatory or additional payment is likely to exceed £500, and related provisions.

Article 4 commences section 78(1) to (4) of the Act on 6th March 2014.

This allows for registration of notices or agreements if initial rejection of registration by the Keeper of the Registers of Scotland is judicially overturned.

Article 5 commences section 73 of the Act on 28th September 2015 to correspond with the final date for registration of exemptions under section 64 of the Act.

The Schedule and article 2(m) commence provisions of the Act on 28th November 2013 for the restricted purpose of making regulations.

Status: *This is the original version (as it was originally made). Scottish
Statutory Instruments are not carried in their revised form on this site.*

The Bill for the Act received Royal Assent on 7th August
2012. Sections 81 to 84 of the Act came into force on that day.