



Lease terms

The Scottish Pubs Code sets rules to ensure lease terms for tied pubs are fair and lawful. These rules protect your rights as a tenant and ensure a fair relationship between you and your landlord. You shouldn't be worse off due to any product or service tie for your pub, and risks and rewards should be shared fairly.

Lease terms that contravene the Scottish Pubs Code

Some lease terms are not allowed because they go against the Scottish Pubs Code. These prohibited terms include:

- Any terms that stop you from enforcing your rights under the Code or punish you for doing so
- Any rent review or rent assessment terms that can only be started by your landlord. You can find guidance on rent reviews and assessments on the [Scottish Pubs Code Adjudicator](https://www.gov.scot/groups/scottish-pubs-code-adjudicator/) website
- Any terms that say the rent can only increase or cannot decrease through the rent review or assessment process

Lease terms that are incompatible with the Scottish Pubs Code

Some lease terms may not be enforced because they are incompatible with the Code. The Code grants certain rights, including:

- Information and advice for prospective tied pub tenants
- Provisions for rent review and rent assessment
- Requests for market rent only leases
- Guest beer agreements

Guidance on these rights is available on the [Scottish Pubs Code Adjudicator](https://www.gov.scot/groups/scottish-pubs-code-adjudicator/) website.

Gaming machines

New leases for tied pubs cannot require you to buy or rent gaming machines from your landlord or their chosen supplier.

Flow monitoring devices

Your landlord cannot hold you responsible or subject you to negative consequences based on flow monitoring device readings, unless there is other evidence about the purchase and stocking of alcohol at your pub.

Find more information



Go to the Scottish Pubs Code Adjudicator website:
www.gov.scot/groups/scottish-pubs-code-adjudicator/



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