



Long Leases (Scotland) Act 2012

2012 asp 9

PART 2

CONVERSION OF CERTAIN LEASEHOLD CONDITIONS TO REAL BURDENS

Effect of conversion on counter-obligations

34 Counter-obligations on conversion

- (1) Where a qualifying condition becomes, by virtue of any of sections 14 to 32, a real burden, the right to enforce the burden is subject to any counter-obligation mentioned in subsection (2).
- (2) The counter-obligations are—
 - (a) in the case of a real burden constituted by virtue of—
 - (i) section 14 or 23 to 28, those specified in the notice registered under the section in question,
 - (ii) section 17, those specified in the agreement,
 - (iii) section 30, those enforceable against the person on whom power is conferred,
 - (iv) section 32, those enforceable against the owner or (as the case may be) tenant of the other land, and
 - (b) in any other case, those enforceable against any person who immediately before the appointed day was entitled to enforce the qualifying condition which was converted into the burden.

Commencement Information

11 S. 34 in force at 28.11.2013 by S.S.I. 2013/322, art. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Cross Heading: Effect of conversion on counter-obligations.