



Long Leases (Scotland) Act 2012

2012 asp 9

PART 2

CONVERSION OF CERTAIN LEASEHOLD CONDITIONS TO REAL BURDENS

Conversion of conditions to burdens

15 Conversion by nomination: registration

- (1) For the purposes of section 14(2), a notice is registered only when registered against both the burdened property and the benefited property.
- (2) Registration under subsection (1) must—
 - (a) in the case of the burdened property, be against the title of—
 - (i) the owner of the property, or
 - (ii) the tenant under the qualifying lease of the property, and
 - (b) in the case of a benefited property, be against the title of—
 - (i) the owner of the property, or
 - (ii) if the property in question is subject to a qualifying lease or exempt lease, the tenant under such lease.
- (3) Before submitting any notice for registration under section 14, the entitled person must swear or affirm before a notary public that to the best of the knowledge and belief of the entitled person all the information contained in the notice is true.
- (4) For the purposes of subsection (3), if the entitled person is—
 - (a) an individual unable by reason of legal disability, or incapacity, to swear or affirm as mentioned in that subsection, then a legal representative of the entitled person may swear or affirm, or
 - (b) not an individual, then any person authorised to sign documents on its behalf may swear or affirm,and any reference in that subsection to an entitled person is to be construed accordingly.
- (5) This section and section 14 are subject to sections 36 and 75.