



# 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, Section 34.