



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.