



Long Leases (Scotland) Act 2012

2012 asp 9

PART 2

CONVERSION OF CERTAIN LEASEHOLD CONDITIONS TO REAL BURDENS

Other real burdens

30 Conversion to manager burden

- (1) Where a qualifying condition confers on such person as may be specified in the condition power to—
 - (a) act as the manager of related properties,
 - (b) appoint some other person to be such manager, or
 - (c) dismiss any person appointed by virtue of the power mentioned in paragraph (b),then, on the appointed day, such condition becomes a real burden in favour of such person and in relation to such burden the qualifying land is the burdened property.
- (2) A real burden constituted by virtue of subsection (1) is a manager burden.
- (3) For the purposes of subsection (1), whether properties are related properties is to be inferred from all the circumstances.
- (4) Without prejudice to the generality of this section, circumstances giving rise to such an inference might include—
 - (a) the convenience of managing the properties together because they share—
 - (i) some common feature, or
 - (ii) an obligation for common maintenance of some facility,
 - (b) it being evident that the properties constitute a group of properties on which qualifying conditions are imposed under a common scheme, or
 - (c) there being shared rights to common property.

Commencement Information

II S. 30 in force at 28.11.2013 by S.S.I. 2013/322, art. 2(c)

Status:

Point in time view as at 28/11/2013.

Changes to legislation:

There are currently no known outstanding effects for the Long Leases (Scotland) Act 2012, Section 30.