Long Leases (Scotland) Act 2012

2012 asp 9

PART 2 S

CONVERSION OF CERTAIN LEASEHOLD CONDITIONS TO REAL BURDENS

Other real burdens

31 Conversion where common scheme affects related properties S

(1) Where qualifying conditions are imposed under a common scheme on a group of related properties, such conditions, on the appointed day, become real burdens in relation to which each property is a benefited and a burdened property.

(2) For the purposes of subsection (1), whether properties are related properties is to be inferred from all the circumstances.

(3) 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) there being shared rights to common property,

(c) the properties being subject to the common scheme by virtue of the same deed of conditions, or

(d) the properties each being a flat in the same tenement.

(4) This section confers no right of pre-emption, redemption or reversion.

Commencement Information

I1 S. 31 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 31.