



Long Leases (Scotland) Act 2012

2012 asp 9

PART 2

CONVERSION OF CERTAIN LEASEHOLD CONDITIONS TO REAL BURDENS

Notices and agreements under this Part

36 Further provision for notices and agreements

- (1) Subsections (2) and (3) apply in relation to a qualifying lease where—
 - (a) an agreement relating to a qualifying condition has been registered under section 17, or
 - (b) a notice relating to a qualifying condition has been registered under section 14 or 23 to 28.
- (2) It is not competent for the person who registered the agreement or notice (or that person's successor) to register under any of those sections in relation to the qualifying lease another such agreement or notice relating to the same qualifying condition.
- (3) Nothing in subsection (2) prevents registration of an agreement or notice where (as the case may be)—
 - (a) the discharge of any earlier such agreement has been registered, jointly, by the parties to that agreement (or by their successors), or
 - (b) the discharge of any earlier such notice has been registered by the person who registered that notice (or by that person's successor).
- (4) Where more than one qualifying lease is affected by the same qualifying condition enforceable by the same person, that person must, if that person wishes to execute and register a notice under this Part in relation to those qualifying leases in respect of that qualifying condition, do so in relation to each separately.
- (5) Where a qualifying lease is affected by more than one qualifying condition enforceable by the same person, that person may—
 - (a) enter into and register a single agreement under section 17 in relation to that qualifying lease in respect of those qualifying conditions, or
 - (b) execute and register a single notice under section 14 or 23 to 28 in relation to that qualifying lease in respect of those qualifying conditions.

Status: This is the original version (as it was originally enacted).

- (6) Nothing in this Part requires registration against land prospectively nominated as a benefited property but outwith Scotland.