



# Long Leases (Scotland) Act 2012

## 2012 asp 9

### PART 2

#### CONVERSION OF CERTAIN LEASEHOLD CONDITIONS TO REAL BURDENS

##### *Other real burdens*

#### **31 Conversion where common scheme affects related properties**

- (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**

**II** 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.