



# 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.