

# Joint Property Units (Management) Act (SFS 1973:1150)

(with amendments up to and including SFS 2003:629)

## Introductory provisions

**Section 1.** For the purposes of this Act, the term "joint property unit" shall comprise

1. a joint property unit under the Real Property Formation Act (1970:988),
2. other land jointly belonging to the owners of the hideage-rated real property units in a parish,
3. an easement or other special right which several property units have in common,
4. a joint property unit under the Joint Facilities Act (1973:1149),
5. a joint water unit under the Water Enterprises (Special Provisions) Act (1998:812),
6. a joint property unit under the Joint Land Development Act (1987:11).

The term "participating property unit" in this Act refers to a property unit having a share in a joint property unit, and the term "part-owner" refers to the owner of a participating property unit. In the case of a joint property unit as referred to in subsection one, point 5, however, the term "participating property unit" refers to a property unit included in the joint property unit otherwise than by participation, and "part-owner" refers to the person participating in the joint property unit. Concerning such a joint property unit, the provisions in this act of participatory share of a property unit shall instead apply to participatory share of a part-owner.

**Section 2.** This Act shall apply only insofar as is compatible with any other statute or statutory instrument. Decisions concerning the use of a joint property unit may, however, be made under this Act in derogation of the Building Code.

**Section 3.** The provisions of this Act concerning a property unit shall apply, *mutatis mutandis*, to a site leasehold, mine, building, other structure or nature reserve having a share in a joint property unit as referred to in Section 1, subsection one, point 3, 4 or 5.

The person in possession of a property by testamentary disposition without the right of ownership being vested in any person shall for the purposes of this Act be deemed the owner of the property unit. The party administering a nature reserve shall be deemed the owner of the same.

A site lessee in a property unit having a share in a joint property unit as referred to in Section 1, subsection one, point 1 or 2 shall, for the purposes of this Act, be deemed a part-owner in the property owner's stead.

With regard to joint property units as referred to in Section 1 (1), point 5, the provisions of this Act concerning a land court shall instead apply to an environmental court. When an action is to be brought before an environmental court, the provisions of the Water Enterprises (Special Provisions) Act (1998:812) concerning proceedings by writ shall apply.

**Section 4.** A joint property unit is managed either by the part-owners directly (part-owner management) or by a specially formed joint property association (association

management). In the case of land situated within a joint land development area, the provisions on this subject in the Joint Land Development Act (1987:11) also apply.

**Section 5.** In the event of a joint property unit as referred to in Section 1, subsection one, point 1 or 2 or a certain curtilage of such a joint property unit being subdivided without having passed to another owner and if the joint property unit is managed by a joint property association, the title to the property unit thus formed through subdividing passes to the association. This, however, does not apply to a joint property association managing a joint land development unit under the Joint Land Development Act (1987:11).

#### **Part-owner management**

**Section 6.** In part-owner management, decisions are made by the part-owners together.

**Section 7.** If the part-owners are unable to agree on a certain management measure, then, in the event of any part-owner so requesting, the cadastral authority or the agent appointed by the authority for the purpose shall hold a meeting with the part-owners to determine the matter or, if circumstances so occasion, shall arrange for association management.

The cadastral authority may, if there are exceptional reasons for doing so, take necessary steps to safeguard the part-owners' decision.

**Section 8.** The person who is to conduct a meeting as referred to in Section 7 shall identify the part-owners.

**Section 9.** All known part-owners shall be called to the meeting. If it is uncertain which of several persons are part-owners, all of them shall be called. If there are presumably part-owners who are unknown, these too are to be called.

The part-owners shall be served well in advance with notice of the meeting. The provisions of Section 10 (1) and Section 16 (2), point 2, of the Service of Documents Act (1970:428) shall not apply to service of this kind.

**Section 10.** Notice and service as referred to in Section 9 shall be effected by the person who is to conduct the meeting. That person shall also notify the court when a guardian *ad litem* needs to be appointed as provided in Chap. 11, Section 3 of the Children and Parents Code.

**Section 11.** If a part-owner has come to the meeting, the meeting may take place even if he has not been notified of the same.

**Section 12.** A part-owner present, in person or through an agent, at the meeting, has one vote, regardless of whether he owns one or more participating property units. In a matter of economic importance, the part-owners' votes shall instead be computed according to the participatory shares of the participating property units, if a part-owner so requests. No part-owner, however, may have voting rights in excess of one-fifth of the total number of votes of all the voting part-owners present.

A decision to transfer or apply for the mortgage on real property or to grant such property with the right of user for a period of more than five years requires at least two-thirds of the votes cast. In other matters, the decision carried shall be the opinion gaining the largest number of votes or, in the event of a tied vote, the opinion supported by the chairman.

The holder of a right in a participating property unit may attend and speak at the discussion of a question relating to his right.

**Section 13.** When a decision is made concerning transfer or concerning the grant of a right, it may also be decided who is to sign the document of transfer or grant on behalf of the part-owners. The same shall apply, *mutatis mutandis*, concerning application for mortgage.

**Section 14.** Minutes of the meeting shall be kept through the agency of the chairman.

**Section 15.** If a part-owner considers that a decision made at the meeting has not been made in due order or that it is contrary to this Act or some other statutory instrument or that his individual interests have not been duly provided for in the decision, he may contest the decision by filing proceedings against the other part-owners in the land court within four weeks of the date of the decision, failing which the claim will lapse.

On proceedings having been filed, the court may order that the decision is not to be complied with for the time being.

The holder of a right in a participating property unit may contest a decision affecting his right. Where a claim of this kind is concerned, Sections 1 and 2 shall apply, *mutatis mutandis*.

A judgement whereby a decision has been cancelled or amended also applies to a part-owner or holder of a right who has not instigated proceedings.

**Section 16.** The cost of the meeting is paid in advance by the petitioner. If the meeting leads to a decision concerning an administrative measure, the cost shall ultimately be paid by the part-owners according to their participation in the joint property unit.

## **Association management**

### *General provisions of joint property associations*

**Section 17.** A joint property association is a body, constituted under this Act, which can acquire rights and enter into obligations and whose members consist of the part-owners of the joint property unit.

**Section 18.** The purpose of the joint property association is to manage the joint property unit for which it has been formed.

A joint property association may not engage in activities alien to the purpose which the joint property unit is intended to serve.

A joint property association managing a joint land development unit under the Joint Land Development Act (1987:11) may not own land.

**Section 19.** In its management, the association shall provide for the best common interests of the members. Reasonable consideration shall also be shown for each member's individual interest.

A joint property association managing a joint facility shall set aside funds in a reserve to safeguard the maintenance and renewal of the joint facility when the joint facility

1. has a character of a municipal utility or is otherwise of considerable value and has been established for single-family housing properties or for such property units together with rental properties or tenant-owner properties, or

2. assure a three-dimensional property unit or a three-dimensional property space of rights as referred to in Chap. 3, Section 1 a (1), point 2 of the Real Property Formation Act (1970:988).

In cases referred to in subsection two, the governing body of the association shall also draw up a maintenance and renewal plan. This shall contain the information material to an assessment of the accrued transfers to the reserve.

#### *Formation of a joint property association*

**Section 20.** A joint property association is formed at a meeting of the part-owners, through their adoption of articles of association and their appointment of a governing body.

A meeting as aforesaid shall, if so requested by any part-owner, be held by the cadastral authority or by the authority appointed for the purpose. In connection, however, with proceedings under the Real Property Formation Act (1970:988), the Joint Facilities Act (1973:1149) or the Joint Land Development Act (1987:11), the cadastral authority or, if a special cadastral officer has been appointed under Section 4 of the Joint Facilities Act, the authority or officer, as the case may be, shall conduct a meeting, as aforesaid, concerning a joint property association affected by the cadastral procedure if a part-owner of the joint property unit so requests or if it is of substantial importance, from a public viewpoint, that a joint property association be formed.

If it is substantially important from a public viewpoint that a joint property association be formed for the management of a joint property unit as referred to in Section 1 (1), point 5, the cadastral authority may hold a meeting as provided in subsection one, even if no request to this end has been made by any part-owner of the joint property unit.

**Section 21.** Concerning a meeting for the formation of a joint property association, Section 7 (2), Sections 8-11, Section 12 (1), point 1, and Section 14 shall apply, *mutatis mutandis*. If, however, the meeting is held in connection with cadastral procedure under the Real Property Formation Act (1970:988), the Joint Facilities Act (1973:1149), or Joint Land Development Act (1987:11), the provisions concerning service of notice of meeting in connection with cadastral procedure shall apply, *mutatis mutandis*, concerning service of notice of the meeting.

**Section 22.** The decision adopted by the meeting shall be the opinion gaining most votes. In the event of votes being equally divided, elections shall be decided by drawing of lots. In other matters, the opinion supported by the chairman shall apply.

**Section 23.** Concerning the contestation of decisions taken at the meeting, Section 15 shall apply, *mutatis mutandis*.

If a property formation order, a facility order or a land development order or a permit order under the Environmental Code has been made, a meeting for the formation of a joint property association may be held before the judgement or order concerning formation of the joint property unit has acquired force of law. The part-owners shall then be deemed to comprise the owner of a property unit and any other person who, according to the judgement or order, is to have a share in the joint property unit. Decisions made at the meeting will apply only on condition of the property formation, facility, land development or permit order or the permit judgement acquiring force of law or, as regards a facility order, of an order having been made as provided in Section 27 a of the Joint Facilities Act (1973:1149) or Chap. 22, Section 28 (1) of the Environmental Code.

**Section 24.** The cost of the meeting shall be paid in advance by the petitioner but shall ultimately be borne by the association.

*Registration, articles of association and name*

**Section 25.** A joint property association is registered with the national cadastral authority in the county where the governing body of the association is located according to the articles of association.

Every national cadastral authority shall keep a register of joint property associations in which to enter the particulars which, under this Act or any other statutory instrument, are to be furnished for registration or otherwise entered in the register. With regard to registration in the register of joint property associations, Chap. 15, Section 4 (1)-(3) of the Economic Associations Act (1987:667) shall apply. For this purpose, the reference in subsection three of the Section shall apply to appeals as referred to in Section 23 (1) and Section 53 (2) of this Act. A resolution to amend the articles of association in such a way that the location of the governing body shall be transferred from one county to another may not be registered, however, if, by reason of the provisions of Section 29 (1), second sentence, of this Act, the name of the joint property association may not be entered in the register of joint property associations of the latter county.

Further provisions concerning the register of joint property associations and concerning registration charges are issued by the Government.

**Section 26.** Registration of a joint property association takes place following application by the governing body of the association. If a meeting for the formation of the association has been held as provided in Section 20 (2), point 2, registration may also take place on application being made by the person who conducted the meeting.

The application document shall be accompanied by two authenticated transcripts of the articles of association and one authenticated transcript of minutes of the meeting referred in Section 20.

The application document shall contain the mailing address of the association together with the full names, residential and mailing addresses and telephone numbers of the members of the governing body. Particulars shall also be furnished concerning a special signatory, if one has been appointed.

**Section 27.** A joint property association cannot acquire rights or enter into obligations before it has been registered.

In the event of members of a joint property association or its governing body, or any other person who, under this Act, is a proxy for the association, acting on behalf of the association before it has been registered, those who have participated in the measure or a decision concerning the same shall be jointly and severally liable for commitments arising.

**Section 28.** The articles of association of a joint property association shall state

1. the name of the association,
2. the joint property unit managed by the association and the grounds for the management,
3. the place where the governing body shall be located,
4. the composition of the governing body, how it is to be appointed and its quorum requirements,
5. how the management of affairs by the governing body is to be audited.
6. the association's accounting period,
7. the grounds for transfers to reserves as referred to in Section 19 (2),
8. how frequently an ordinary association meeting is to be held,
9. the manner in which notice of association meeting is to be given and other messages brought to the knowledge of the members, as well as the latest point in time before a meeting at which notice of the same is to be given.

The articles of association may not contain any provision contrary to this Act or any other statutory instrument.

**Section 29.** The name of a joint property association shall include the word *samfällighetsförening* (joint property association). The name shall be clearly distinguishable from other names of joint property associations registered with the national cadastral authority and still in existence. Otherwise registration of the name of a joint property association shall be subject to the provisions of the Trade Names Act (1974:156).

No body other than a joint property association may use the word *samfällighetsförening* (joint property association) in its name. Infringements of the aforesaid are punishable by fines.

#### *Governing body and signatories*

**Section 30.** The governing body of a joint property association shall consist of one or more members and shall be located in the place where the members' property units or the greater part of the same are situated. A member of a governing body may not be a minor or have an administrator as provided in Chap. 11, Section 2 of the Children and Parents Code.

**Section 31.** When there is cause for so doing, the County Administrative Board may ordain that the governing body shall comprise more members than are indicated in the articles of association. An order of this kind is of the same effect as a resolution amending the articles of association. The County Administrative Board may

furthermore, acting in the place of the association meeting, appoint one member or, if there are exceptional reasons for doing so, two or more members of the governing body. If agreement concerning the emoluments for such a member cannot be reached, the emoluments will be determined by the County Administrative Board.

Any decision made by the County Administrative Board as aforesaid shall be entered in the register of joint property association.

**Section 32.** A member of a governing body may be relieved of his duties by the party who appointed him before the expiry of the period for which he was appointed.

**Section 33.** If the appointment of a member of a governing body has expired or if a member is impeded from discharging the assignment and the governing body does not remain quorate, the County Administrative Board may appoint a custodian in the stead of such a member. If, for reasons aforesaid, no member of the governing body is available, the custodian may take sole charge of the association's affairs and represent the association as its governing body. The custodian's appointment applies pending the renewed existence of a quorate governing body.

The custodian is entitled to emoluments as determined by the County Administrative Board. The emoluments are paid by the association.

**Section 34.** Unless otherwise provided in the articles of association or in a decision by an association meeting, the governing body may appoint a special signatory.

Authorisation to sign for the association can be revoked by the governing body at any time.

**Section 35.** The governing body handles the business of the association in keeping with this Act, the articles of association and resolution of the association meeting, insofar as the resolution is not contrary to this Act or any other statutory instrument or the articles of association.

**Section 36.** A member of the governing body may not deal with any matter in which he has a substantial interest at variance with that of the association.

**Section 37.** The governing body is authorised to represent the association in relation to third parties. The same authority devolves on a signatory. The governing body and the signatory, however, may not, except by authority of the articles of association or a resolution by an association meeting, transfer or mortgage real property or grant such property with a right of user for a period of more than five years.

**Section 38.** A decision of the governing body shall be the opinion on which the largest number of voters agree at a meeting of the governing body. In the event of votes being equally divided, elections shall be decided by lot. In other matters, the opinion supported by the chairman shall apply.

The aforesaid shall not apply if provision to the contrary is made in the articles of association.

**Section 39.** In the event of a change occurring in any matter referred to in Section 26 (3), this shall immediately be presented for registration through the agency of the

governing body.

*Levying of contributions etc.*

**Section 40.** If the funding requirements of a joint property association are not covered by other means, contributions in money shall be levied from the members.

**Section 41.** Before any levy is made, the governing body shall draw up an estimate of the expenditure and income for the association. This estimate is submitted to the association meeting for approval.

If, as regards the obligation to share in expenditure, different provisions apply to different branches of activity, the income and expenditure for each branch of activity shall be separately computed. Common income and expenditure are apportioned between the branches of activity according to what is equitable.

If the association is to make a transfer to reserves as provided in Section 19 (2), the estimate of expenditure and income shall indicate the amounts transferred.

**Section 42.** Unless otherwise provided in the articles of association, contributions are levied from the members by the governing body drawing up and presenting at the association meeting a debit list.

The debit list shall indicate the amount levied, the amount payable by each member and when payment is to be made.

In cases of the kind referred to in Section 41 (2), each branch of activity is separately entered in the debit list.

**Section 43.** If available funds are not sufficient for the payment of a clear and matured debt for which the association is liable, the governing body shall without delay draw up and present to the association meeting a special debit list and shall immediately collect what is required.

In the event of the members of the governing body neglecting their obligations as aforesaid, they are jointly and severally liable for the debt. If the neglect is manifest, the County Administrative Board, acting at the request of the creditor, appoints a custodian to debit and collect what is required. Concerning the emoluments of such an administrator, Section 33 (2) shall apply, *mutatis mutandis*.

**Section 44.** If a participating property unit passes to a new owner by means other than executive sale by auction, the new owner, together with the former owner, is liable to the association for any unpaid amount previously charged to the former owner under Section 44 or 43 and not falling due for payment more than one year before the agreed possession date. In relation to the new owner, the amount shall be deemed to have fallen due on the possession date unless, according to the debit list, the amount does not fall due until after that date.

As regards joint property units referred to in Section 1 (1), point 5, the aforesaid provision concerning a new owner of a participating property unit shall instead apply to the person to whom participation in the joint property unit has passed otherwise than through passing of the title to a participating property unit.

**Section 45.** In cases referred to in Section 41 (2), moneys and other assets referable



entirely to a certain branch of activity may not be used or attached for a purpose falling outside that branch of activity. Nor may moneys as aforesaid be mingled with other moneys.

**Section 46.** A member maintaining that an assessment is at variance with this Act, the articles of association or a resolution of an association meeting may bring an action against the association for remedy in the land court within four weeks of the day on which the debit list was presented to the association meeting.

Failing an order to the contrary by the court when adjudicating a remedy claim, an amount which has been debited and has fallen due for payment may be collected as provided in the Enforcement Code concerning claims the payment of which has been ordered through a judgement having force of law.

*Association meeting*

**Section 47.** The right of the members to take part in the management of the association's affairs is exercised at the association meeting.

Notice of an association meeting is given through the agency of the governing body. The notice indicates which items of business are to be discussed at the meeting.

If the governing body omits to give notice of an ordinary association meeting in accordance with the provisions of the articles of association, the County Administrative Board shall announce the association meeting on being called upon to do so by a member. If not less than one-fifth of all voting members or the lesser number which may be provided for in the articles of association requests the governing body to hold an extra association meeting, at the same time indicating the items of business to be discussed, it is incumbent upon the governing body, within one week, to give notice of such a meeting, the meeting to be held as soon as the prescribed period of notice allows. Failing this, the County Administrative Board announces a meeting at the instance of a member.

**Section 48.** In cases as referred to in Section 41 (2), in the decision of a question relating solely to a particular branch of activity, voting rights may only be exercised by members who are obliged to contribute towards the branch of activity in question.

A person who has omitted to pay the contributions due from him within the allotted time may take part in the proceedings but may not vote before he has made good his omission.

A member or other person may not, either personally or through an agent or as an agent, take part in the discussion of a matter in which he has a substantial interest at variance with that of the association.

The holder of a right in a participating property unit may attend and speak in the discussion of a matter relating to his right.

**Section 49.** A voting member present at a meeting of the association has one vote, regardless of whether he owns one or more participating property units. In a matter of economic importance, the members' votes shall instead be computed according to the participatory shares of the participating property units, if a member so requests. No member, however, may have voting rights in excess of one-fifth of the total number of votes of all the voting members present.

A member's voting rights may be exercised through an agent. An agent may not represent more than one member. The decision of the meeting shall be the opinion gaining largest numbers of votes. In the event of votes being equally divided, elections shall be decided by lot, while in other matters the opinion supported by the chairman shall prevail.

Subsections one and two do not apply insofar as Section 51 or 52 indicates otherwise. Provision in derogation of subsection two may be made in the articles of association.

**Section 50.** It is the duty of the governing body at the association meeting to furnish the information concerning the association's activities which is requested by a member and which may be of importance to the members.

Decisions made at the association meeting shall be minuted through the agency of the governing body and the minutes kept available to the members not later than two weeks after the meeting.

*Transfer of real property etc.*

**Section 51.** A decision to transfer or mortgage real property or to grant such property with a right of user for a period of more than five years requires at least two-thirds of the votes cast, unless otherwise provided in the articles of association.

*Amendment of the articles of association*

**Section 52.** In a vote concerning amendment of the articles of association, each voting member has one vote, regardless of whether he owns one or more participating property units. A resolution concerning such amendment requires at least two-thirds of the votes cast. If stricter conditions are prescribed in the articles of association, that prescription shall apply.

Decisions as aforesaid shall be reported through the agency of the governing body for registration. Such report shall be accompanied by two authenticated transcripts of minutes of the decision. The decision may not be implemented before registration has taken place.

*Contestation of decisions by association meetings*

**Section 53.** If a member of a governing body or a member or holder of a right in a participating property unit whose right is affected considers that a decision made at the association meeting has not been made in due order or that it is contrary to this Act or some other statutory instrument or that his individual interests have not been duly provided for in the decision, he may contest the decision by filing proceedings against the other part-owners in the land court.

If the action as aforesaid is based on the decision not having been made in due order or on it otherwise infringing the right of a member or a holder of a right only, proceedings shall be instigated within four weeks of the date of the decision, failing which the claim will lapse.

On proceedings having been filed, the land court may order that the decision is not to be complied with for the time being.

A judgement whereby a decision by an association meeting has been cancelled or amended also applies to a part-owner or holder of a right who has not instigated proceedings.

*Liability in damages etc.*

**Section 54.** With regard to the liability of a member of the governing body, a custodian under this Act, an auditor or a member to make good damage caused by him to the association, a member or a third party, and concerning actions for such compensation, Chap. 13 of the Economic Associations Act (1987:667) shall apply, *mutatis mutandis*. Cases, however, are tried by the land court.

*Associations for the management of more than one joint property unit*

**Section 55.** A joint property association can be formed to manage the affairs of two or more joint property units. Sections 20-24 apply, *mutatis mutandis*, to the formation of such an association. If, however, a difference applies concerning participation in the joint property units, the derogations indicated in subsection two shall apply.

A request for a meeting for the formation of a joint property association as referred to in subsection one, point 3, shall be made by at least one part-owner of each joint property unit. At the meeting, a special vote shall be taken among the part-owners of each joint property unit concerning the motion to form a joint association. For this purpose, the provisions of Section 12 (1) concerning voting in a matter of economic importance shall apply, *mutatis mutandis*. If the motion is carried in all votes, the part-owners, in a single vote, shall appoint a governing body and adopt articles of association. Otherwise the question will lapse. The question of forming another association pursuant to this Section or Section 20 shall, however, be discussed at the meeting if a part-owner so requests.

**Section 56.** If the person who, pursuant to Section 20, is to hold a meeting for the formation of a joint property association finds that management of the joint property unit can appropriately be entrusted to an existing joint property association, he shall obtain a statement from the governing body of the association as to whether it recommends that the joint property unit be affiliated to the association. If such a recommendation is made, the matter of affiliation shall be put to the vote at the meeting. For this purpose, the provisions of Section 12 (1) concerning voting in a matter of economic importance shall apply, *mutatis mutandis*. If affiliation is resolved on, the association shall open the question of the amendment needed to the articles of association in order for affiliation to take place. Pending a final decision as to whether affiliation is to take place, the question of forming a new joint property association shall remain dormant.

**Section 57.** It may be agreed between joint property associations that one association (the transferring association) is to merge with the other (the succeeding association), in such a way that the members of the transferring association become members of the succeeding association and the transferring association ceases to exist and all its assets and liabilities are taken over by the succeeding association (merger).

**Section 58.** A merger agreement is not binding until it has been approved by an association meeting of the transferring association and any necessary amendment to the articles of association of the succeeding association has been resolved on.

**Section 59.** The governing body of the transferring association shall give notice of a merger agreement for registration. The notice shall be accompanied by an authenticated transcript of the merger agreement and of minutes of the resolution by the association meeting to approve the agreement.

Registration of the merger agreement may only take place in connection with registration of the resolution to amend the articles of association of the succeeding association. The merger is complete when registration has taken place.

**Section 60.** If a joint property association manages more than one joint property unit and there is a difference with regard to participation in these units, Section 41 (2), Section 42 (3), Section 45 and Section 48 (1) shall apply, *mutatis mutandis*.

*Dissolution of a joint property association*

**Section 61.** A joint property association shall be dissolved when the joint property unit or units managed by the association cease to exist. Dissolution shall further take place if the members are agreed on it and the County Administrative Board permits it. Provisions concerning the right of the cadastral authority to order the dissolution of a joint property association are contained in the Joint Facilities Act (1973:1149) and the Joint Land Development Act (1987:11).

**Section 62.** A joint property association may not be dissolved before all its debts have been settled or the moneys required for payment have been deposited with the County Administrative Board. In connection with the dissolution, application can be made for notice to be given to unknown creditors of the association. The provisions of the Notice to Unknown Creditors Act (1981:131) shall then apply, *mutatis mutandis*.

If, at the dissolution of the association, its assets exceed its liabilities, the surplus shall be distributed between the members on the basis decided by the association meeting. The aforesaid shall not apply if provision to the contrary is made in the articles of association.

**Section 63.** When a joint property association has been dissolved, this shall be reported, through the agency of the governing body, for registration. If the assets have been distributed, the notification shall be accompanied by an authenticated transcript of the distribution document.

**Section 64.** If a joint property association manages two or more joint property units and one of these ceases to exist, the branch of activity constituted by the joint property unit shall be wound up. The same shall apply if the part-owners of the joint property unit are agreed on winding it up and the County Administrative Board grants permission to this end. Provisions concerning the right of the cadastral authority to order the winding up of a branch of activity are contained in the Joint Facilities Act (1973:1149).

Sections 62 and 63 apply, *mutatis mutandis*, to winding up as aforesaid.

**Section 65.** If, following the dissolution of a joint property association or the winding up of a branch of activity, a new liability or asset emerges, the County Administrative Board, acting at the request of a creditor or some other person affected by the matter, shall appoint a custodian to take the measures which would have been incumbent on the governing body if the liability or asset has been known earlier.

#### **Competence of a cadastral authority and a land court**

**Section 66.** Cognisance of a matter which, under this Act, is to be assessed by a cadastral authority, is, with the exception prescribed in Section 25, taken by the cadastral authority within whose area the joint property unit is located. If the joint property unit is located within the areas of more than one cadastral authority, the matter shall be assessed by the national cadastral authority within whose area the greater part of the joint property unit is located. The same applies if the matter involves two or more joint property units coming under different cadastral authorities.

Cognisance of a case or matter which, under this Act, is to be adjudicated by a land court, is taken by the land court within whose area the joint property unit is located. If the joint property unit comes under more than one land court, the claim is heard by the court in whose area the greater part is located. The same applies if the case or matter involves two or more joint property units coming under different land courts.

#### **Appeal against a decision by a cadastral authority or County Administrative Board**

**Section 67.** A decision by a cadastral authority may be appealed in a general administrative court. A decision whereby an application or notification for registration has been struck off or registration refused under this Act may be appealed within two months of the day on which it was returned.

Decisions by a County Administrative Board may be appealed in a general administrative court.

Appeal to the administrative court of appeal is subject to leave of appeal.