

*These notes relate to the Buildings (Recovery of Expenses) (Scotland)
Act 2014 (asp 13) which received Royal Assent on 24 July 2014*

BUILDINGS (RECOVERY OF EXPENSES) (SCOTLAND) ACT 2014

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Section 1(b) - charging orders

46F – Liability of new owner

28. Section 46F deals with the liability of a new owner of a building. Subsection (2) provides that the new owner is severally liable with any former owner for the repayable amount for which the former owner is liable under section 46C. However, this is only the case where a charging order has been registered in the appropriate land register at least 14 days prior to the new owner becoming the owner (subsection (1)(a) and (b)). If a charging order has not been so registered then the new owner is not liable.