



# Housing (Cladding Remediation) (Scotland) Act 2024

2024 asp 7

## PART 2

### POWERS TO ASSESS AND ADDRESS DANGER

PROSPECTIVE

## CHAPTER 3

### NOTICES

#### 17 Power to require information to give notice

- (1) The Scottish Ministers may, for the purpose of enabling them to give a notice under [this Part](#), require any person to whom [subsection \(2\)](#) applies to state, in writing, to the Ministers—
  - (a) the nature of the person's interest in the premises in connection with which the notice is to be given, and
  - (b) the name and address of any other person known by that person to have an interest in the premises.
- (2) [This subsection](#) applies to the following—
  - (a) the owner of the premises in question,
  - (b) the occupier of the premises,
  - (c) any person who receives rent (directly or indirectly) in respect of the premises.
- (3) A requirement under [subsection \(1\)](#) is imposed on a person by the Scottish Ministers giving the person notice of—
  - (a) the information required, and
  - (b) the deadline for providing it.

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*Status: This version of this chapter contains provisions that are prospective.*  
*Changes to legislation: There are currently no known outstanding effects for the Housing (Cladding Remediation) (Scotland) Act 2024, Chapter 3. (See end of Document for details)*

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- (4) A person may not be required under [subsection \(1\)](#) to disclose any information which that person would be entitled to refuse to provide in proceedings in a court in Scotland.
- (5) The Scottish Ministers may relieve a person from a requirement to provide information under [subsection \(1\)](#) by giving the person a written notice to that effect.
- (6) A person who is required under [subsection \(1\)](#) to provide information commits an offence if the person—
  - (a) without reasonable excuse fails to provide it by the deadline, or
  - (b) knowingly or recklessly provides in response to the requirement a statement that is false, or misleading, in a material particular.
- (7) A person who commits an offence under [subsection \(6\)](#) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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**Commencement Information**

**I1** S. 17 not in force at Royal Assent, see [s. 39\(2\)](#)

## 18 Giving notice where recipient’s address is unknown

- (1) Where—
  - (a) under [this Part](#), the Scottish Ministers are required to give notice to a person, and
  - (b) despite having made reasonable inquiries they cannot ascertain that person’s proper address,
 a written notice is to be taken to have been given to the person 48 hours after the Scottish Ministers cause the notice to be conspicuously displayed on or near the premises in connection with which the notice is to be given.
- (2) In [subsection \(1\)](#), “proper address” has the meaning given in section 26(4) of the Interpretation and Legislative Reform (Scotland) Act 2010.

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**Commencement Information**

**I2** S. 18 not in force at Royal Assent, see [s. 39\(2\)](#)

## 19 Deemed receipt of notice

For the purposes of [this Part](#), where a notice is served as mentioned in section 26(2) (b) or (c) of the Interpretation and Legislative Reform (Scotland) Act 2010, it is to be taken to have been received 48 hours after it is sent.

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**Commencement Information**

**I3** S. 19 not in force at Royal Assent, see [s. 39\(2\)](#)

**Status:**

This version of this chapter contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Cladding Remediation) (Scotland) Act 2024, Chapter 3.