



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART VIII

BUILDINGS, ETC.

Powers of entry, execution of works, etc.

108 Recovery of expenses incurred under section 87 by charging order.

(1) Where, under—

- (a) section 87(3) of this Act; or
- (b) section 99(4) thereof (to the extent that it relates to failure to rectify a defect specified in a notice served under section 87(1) thereof)

a local authority are entitled to recover any expenses, they may make in favour of themselves an order providing and declaring that the land, building or premises is thereby charged and burdened with an annuity to pay the amount of the expenses.

(2) Paragraphs 2 to 8 of Schedule [^{F1}9 to the Housing (Scotland) Act 1987] shall apply to an order under subsection (1) above as they apply to a charging order under paragraph 1 of that Schedule but with the following modifications, that is to say, in sub-paragraph (b)(i) of paragraph 4 of that Schedule at the end there shall be inserted the words “or any sum secured by virtue of section 5(5) to (8) of the ^{M1}Land Tenure Reform (Scotland) Act 1974” and in sub-paragraph (b)(ii) of that paragraph, after the word “Act”, where thirdly occurring, there shall be inserted the words “or under the ^{M2}Building (Scotland) Act 1959.”.

Textual Amendments

- F1** Words substituted by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(2), [Sch. 23 para. 28\(2\)](#)

Marginal Citations

- M1** 1974 c. 38.

Status: Point in time view as at 05/11/1993. This version of this provision has been superseded.

Changes to legislation: Civic Government (Scotland) Act 1982, Section 108 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

M2 1959 c. 24.

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