



Rent (Scotland) Act 1984

1984 CHAPTER 58

PART VII

PART VII CONTRACTS

69 Effect of registration of rent

- (1) Where the rent payable for any dwelling-house is entered in the register under section 67 above, it shall not be lawful to require or receive on account of rent for that dwelling-house under a Part VII contract payment of any amount in excess of the rent so registered in respect of any period subsequent to the date of the entry or, where a particular period is specified in the register, in respect of that period.
- (2) Where subsection (3) of section 67 above applies, the amount entered in the register under that section shall be treated for the purposes of this section as increased for any rental period by the amount of the rates for that period ascertained in accordance with Schedule 3 to this Act.
- (3) Where any payment has been made or received in contravention of this section, the amount of the excess shall be recoverable by the person by whom it was paid.
- (4) Any person who requires or receives any payment in contravention of this section shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or to both ; and
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding six months or to both ;

and, without prejudice to any other method of recovery, the court by which a person is found guilty of an offence under this subsection may order the amount paid in excess to be repaid to the person by whom the payment was made.