

SCHEDULE

Regulations 2 and 3

CONDITIONS FOR THE PURPOSES OF REGULATIONS 2 AND 3

PART 1

The conditions specified in this Part are that—

- (a) the lands and heritages are—
 - (i) the subject of a building preservation notice as defined by section 56 of the Town and Country Planning (Scotland) Act 1972⁽¹⁾ or included in a list compiled under section 52 of that Act⁽²⁾;
 - (ii) included in the Schedule of Monuments compiled under section 1 of the Ancient Monuments and Archaeological Areas Act 1979⁽³⁾; or
 - (iii) industrial lands and heritages;
- (b) the rateable value of the lands and heritages is less than £1000;
- (c) the person entitled to possession of the lands and heritages is so entitled by virtue only of being—
 - (i) the trustee under a trust deed for creditors;
 - (ii) the trustee under an award of sequestration; or
 - (iii) the executor of the estate of a deceased person;
- (d) the person entitled to possession of the lands and heritages is so entitled in his capacity as liquidator by virtue of an order made under section 112 or section 145 of the Insolvency Act 1986⁽⁴⁾;
- (e) the owner of the lands and heritages is a company which is subject to a winding-up order made under the Insolvency Act 1986 or which is being wound up voluntarily under that Act.

PART 2

The conditions specified in this Part are that—

- (a) the owner of the lands and heritages is prohibited by law from occupying them or allowing them to be occupied;
- (b) the lands and heritages are kept vacant by reason of action taken by or on behalf of the Crown or any local or public authority with a view to prohibiting the occupation of the lands and heritages or to acquiring them.

PART 3

The conditions specified in this Part are that—

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- (1) 1972 c. 52; section 56 was amended by the Local Government (Scotland) Act 1973 (c. 65), section 172(2) and by the Ancient Monuments and Archaeological Areas Act 1979 (c. 46), Schedule 4, paragraph 12.
 - (2) Section 52 was amended by the Local Government (Scotland) Act 1973, section 172(2) and Schedule 23, paragraph 19, and by the Housing and Planning Act 1986 (c. 63), Schedule 9, paragraph 13(1).
 - (3) 1979 c. 46; section 1 was amended by the National Heritage Act 1983 (c. 47), Schedule 4, paragraph 25.
 - (4) 1986 c. 45.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the owner of the lands and heritages is prohibited by law from occupying the unoccupied part or allowing it to be occupied;
- (b) the unoccupied part of the lands and heritages is kept vacant by reason of action taken by or on behalf of the Crown or any local or public authority with a view to prohibiting the occupation of that part or to acquiring it.