
Status: This is the original version (as it was originally enacted).

SCHEDULE

NOTICE TO LOCAL AUTHORITIES OF PROCEEDINGS FOR POSSESSION AND STEPS FOR ENFORCEMENT OF STANDARD SECURITIES: MODIFICATION OF ENACTMENTS

Conveyancing and Feudal Reform (Scotland) Act 1970 (c. 35)

- 1 (1) The Conveyancing and Feudal Reform (Scotland) Act 1970 is amended as follows.
- (2) After section 19A (notice to occupier of calling-up), insert—

“19B Notice to local authority of calling-up

- (1) Where a creditor in a standard security over an interest in land used to any extent for residential purposes serves a calling-up notice, the creditor shall give notice of that fact to the local authority in whose area the security subjects are situated, unless the creditor is that local authority.
- (2) Notice under subsection (1) shall be given in the form and manner prescribed under section 11(3) of the Homelessness etc. (Scotland) Act 2003 (asp 10).”
- (3) In section 21 (notice of default), in subsection (2A)—
 - (a) for “Section 19A of this Act applies” substitute “Sections 19A and 19B of this Act apply”,
 - (b) for “it applies” substitute “they apply”.
- (4) In section 24 (application by creditor to court for remedies on default)—
 - (a) in subsection (3)—
 - (i) at the end of paragraph (a), the word “and” is repealed, and
 - (ii) at the end insert “, and
 - (c) give notice of the application to the local authority in whose area the security subjects are situated, unless the creditor is that local authority.”,
 - (b) in subsection (4), for “(3)” substitute “(3)(a) or (b)”,
 - (c) after subsection (4), insert—

“(4A) Notice under subsection (3)(c) above shall be given in the form and manner prescribed under section 11(3) of the Homelessness etc. (Scotland) Act 2003 (asp 10).”