



# Building (Scotland) Act 2003

## 2003 asp 8

### PART 5

#### GENERAL

#### *Documents*

#### **37 Service of notices etc.**

- (1) Where a local authority serves on any person a notice under any of sections 25 to 29, it must—
  - (a) unless that person is the owner of the building in question, serve a copy of the notice on the owner,
  - (b) unless that person is the occupier, serve a copy of the notice on the occupier, and must serve a copy of the notice on any other person appearing to the local authority to have an interest in the building.
- (2) Subsections (1) to (4) of section 192 (service of notices etc.) of the Local Government (Scotland) Act 1973 (c. 65) apply to the service of any notice or other document authorised or required by or under this Act to be served by any person, with the substitution (if necessary) for references to the local authority of references to that person.
- (3) Any such person may, for the purpose of enabling the service of any such notice or other document, by notice in writing require the occupier of any premises and any person who, directly or indirectly, receives rent in respect of any premises to state in writing—
  - (a) the nature of the interest in the premises of the person to whom the notice is addressed, and
  - (b) the name and address of any other person known to that person as having an interest in the premises.
- (4) Any person who, having been required by a notice under subsection (3) to give information—
  - (a) refuses or fails to give that information,

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*Changes to legislation: There are currently no known outstanding effects for the Building (Scotland) Act 2003, Section 37. (See end of Document for details)*

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- (b) makes in respect of that information any statement which the person knows to be false or misleading in a material particular, or
- (c) recklessly makes in respect of that information any statement which is false or misleading in a material particular,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

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**Commencement Information**

**II** S. 37 in force at 1.5.2005 by [S.S.I. 2004/404](#), [art. 2\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Building (Scotland) Act 2003, Section 37.