



Building (Scotland) Act 2003

2003 asp 8

PART 5

GENERAL

[^{F1}Charging orders

[^{F1}46B Qualifying expenses

- (1) Qualifying expenses are expenses recoverable by a local authority under section 25(7)(b), 26(3)(b), 27(7)(b), 28(10)(b), 29(2) or (3) or 30(4)(b) and which relate to—
 - (a) a building regulations compliance notice under section 25(3) served after the commencement of this section,
 - (b) a continuing requirement enforcement notice under section 26(2) served after such commencement,
 - (c) a building warrant enforcement notice under section 27(2) relating to a building served on the owner of the building after such commencement,
 - (d) a defective building notice under section 28(1) or, as the case may be, a dangerous building notice under section 29(6), in either case served after such commencement, or
 - (e) notice under section 29(3) or, as the case may be, works under that section without notice, in either case given or carried out after such commencement.
- (2) Where a charging order is made in respect of expenses incurred by a local authority in demolishing a building, references in this section, section 46A and sections 46C to 46G to a building are to be read as references to the site of the demolished building.]

Textual Amendments

- F1** Ss. 46A-46H and preceding cross-heading inserted (24.1.2015) by [Buildings \(Recovery of Expenses\) \(Scotland\) Act 2014 \(asp 13\)](#), **ss. 1(b)**, 3(2)

Changes to legislation:

There are currently no known outstanding effects for the Building (Scotland) Act 2003, Section 46B.