



Building (Scotland) Act 2003

2003 asp 8

PART 5

GENERAL

[^{F1}Charging orders

[^{F1}46E Registration

- (1) The local authority must register a charging order in the appropriate land register.
- (2) A charging order may be registered in any period during which the order is of no effect by virtue of section 47(4).
- (3) On the registration of a charging order, the charge specified in the order is created in respect of the building specified in it.
- (4) A registered charging order is enforceable at the instance of the local authority against the owner of the charged building (but subject to section 46F).
- (5) The local authority must register a discharge of a charging order in the appropriate land register as soon as reasonably practicable after it has received—
 - (a) payment in full of the repayable amount, or
 - (b) a sum redeeming the repayable amount under section 46D(2).
- (6) On the registration of the discharge of a charging order, the charge specified in the order is discharged.]

Annotations:

Amendments (Textual)

- 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 46E.