



# Tenements (Scotland) Act 2004

## 2004 asp 11

### *Resolution of disputes*

#### **6 Application to sheriff for order resolving certain disputes**

- (1) Any owner may by summary application apply to the sheriff for an order relating to any matter concerning the operation of—
  - (a) the management scheme which applies as respects the tenement (except where that management scheme is the development management scheme); or
  - (b) any provision of this Act in its application as respects the tenement.
- (2) Where an application is made under subsection (1) above the sheriff may, subject to such conditions (if any) as the sheriff thinks fit—
  - (a) grant the order craved; or
  - (b) make such other order under this section as the sheriff considers necessary or expedient.
- (3) A party may not later than fourteen days after the date of—
  - (a) an order under subsection (2) above; or
  - (b) an interlocutor dismissing such an application,appeal to the Court of Session on a point of law.
- (4) A decision of the Court of Session on an appeal under subsection (3) above shall be final.

#### **Annotations:**

#### **Commencement Information**

**II** [S. 6](#) in force at 28.11.2004 by [S.S.I. 2004/487](#), [art. 2\(1\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Tenements (Scotland) Act 2004, Section 6.