



# Housing (Scotland) Act 2014

## 2014 asp 14

### PART 5

#### MOBILE HOME SITES WITH PERMANENT RESIDENTS

##### *Offences relating to relevant permanent sites*

#### 74 Offences relating to relevant permanent sites

After section 32Q of the 1960 Act (inserted by section 73), insert—

##### *“Offences relating to relevant permanent sites*

#### **32R Offences in connection with information requirements**

- (1) It is an offence for a person to knowingly or recklessly provide information which is false or misleading in a material respect to a local authority in purported compliance with—
  - (a) a requirement under section 32B,
  - (b) a requirement under section 32E(3),
  - (c) a requirement under section 32H,
  - (d) a requirement under section 32K.
- (2) It is an offence for a person, without reasonable excuse—
  - (a) to fail to notify a local authority in accordance with 32K(1) and (2), or
  - (b) to fail to provide information in accordance with section 32K(3) and (4).
- (3) A person who commits an offence under subsection (1) or (2) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### **32S Relevant permanent sites: use without a licence**

- (1) It is an offence for the occupier of land to cause or permit that land to be used as a relevant permanent site unless—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the occupier is the holder of a Part 1A site licence in relation to the site, or
  - (b) subsection (2) or (3) applies to that person.
- (2) This subsection applies to a person from the day on which the person makes a relevant permanent site application to a local authority in accordance with section 32B until—
- (a) that application is determined under section 32D,
  - (b) in the case of a refusal by the authority to issue or renew a Part 1A site licence under that section, the day on which the period during which the applicant may make an appeal under section 32M(1)(a) expires without an appeal being made, or
  - (c) where such an appeal is made, the day on which it is finally determined or abandoned.
- (3) This subsection applies to a person from the day on which the person's Part 1A site licence is revoked under section 32L until—
- (a) the day on which the period during which the person can make an appeal under section 32M(1)(d) expires without an appeal being made, or
  - (b) where such an appeal is made, the day on which it is finally determined or abandoned.
- (4) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding £50,000.

### **32T Relevant permanent sites: breach of licence conditions**

- (1) It is an offence for the holder of a Part 1A site licence to fail to comply with any condition of a Part 1A site licence issued in relation to the site.
- (2) A person who commits an offence under subsection (1) is liable on summary conviction to a fine not exceeding £10,000.”.