



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART VIII

BUILDINGS, ETC.

Powers of entry, execution of works, etc.

106 Appeals.

- (1) A person may, in accordance with subsection (3) below, appeal to the sheriff—
 - (a) against any requirement in any notice served on him under this Part of this Act by a local authority; or
 - (b) in respect of the amount of any expenses or interest claimed from him or the rate at which interest is charged against him under this Part of this Act.
- (2) The owner of any land or premises may, in accordance with subsection (3) below, appeal to the sheriff in respect of any expenses or interest (including the rate at which interest is charged) claimed or deducted under section 103 of this Act.
- (3) An appeal under subsection (1) or (2) above shall be made by way of summary application and shall be lodged within 14 days of—
 - (a) in the case of an appeal under paragraph (a) of subsection (1) above, the date of service of the notice; and
 - (b) in other cases, the date of service of the claim for payment or, in the case of an appeal under subsection (2) above where the expense or interest has been deducted from rent, the date of that deduction.
- (4) The sheriff may, on an appeal under this section—
 - (a) order that the requirement appealed against shall be of no effect or that it shall have effect subject to such modifications as he may specify in his order or confirm it;
 - (b) make such order as to the expenses which are or interest which is the subject of the appeal as appears to him appropriate.

Changes to legislation: Civic Government (Scotland) Act 1982, Section 106 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (5) Any party to an appeal under subsection (1) or (2) above may appeal on a point of law from the sheriff's decision to the Court of Session within 14 days from the date of that decision.
- (6) No appeal shall lie from the opinion of the Court of Session given in pursuance of subsection (5) above.

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)