



Building (Scotland) Act 2003

2003 asp 8

PART 5 **S**

GENERAL

Documents

36 **Forms** **S**

- (1) The Scottish Ministers may by regulations make provision as to the form and content of any application, warrant, certificate, notice or document authorised or required to be used under or for the purposes of this Act.
- (2) Where any such application, warrant, certificate, notice or document is used, it must be used in the form provided for in such regulations, or a form as close to it as circumstances permit.

Commencement Information

- II **S. 36** in force at 22.9.2004 for specified purposes and 1.5.2005 in so far as not already in force by S.S.I. 2004/404, art. 2(1)(2), **Sch. 1**

37 **Service of notices etc.** **S**

- (1) Where a local authority serves on any person a notice under any of sections 25 to 29, it must—
 - (a) unless that person is the owner of the building in question, serve a copy of the notice on the owner,
 - (b) unless that person is the occupier, serve a copy of the notice on the occupier, and must serve a copy of the notice on any other person appearing to the local authority to have an interest in the building.
- (2) Subsections (1) to (4) of section 192 (service of notices etc.) of the Local Government (Scotland) Act 1973 (c. 65) apply to the service of any notice or other document authorised or required by or under this Act to be served by any person, with the

Changes to legislation: There are currently no known outstanding effects for the Building (Scotland) Act 2003, Cross Heading: Documents. (See end of Document for details)

substitution (if necessary) for references to the local authority of references to that person.

- (3) Any such person may, for the purpose of enabling the service of any such notice or other document, by notice in writing require the occupier of any premises and any person who, directly or indirectly, receives rent in respect of any premises to state in writing—
- (a) the nature of the interest in the premises of the person to whom the notice is addressed, and
 - (b) the name and address of any other person known to that person as having an interest in the premises.
- (4) Any person who, having been required by a notice under subsection (3) to give information—
- (a) refuses or fails to give that information,
 - (b) makes in respect of that information any statement which the person knows to be false or misleading in a material particular, or
 - (c) recklessly makes in respect of that information any statement which is false or misleading in a material particular,
- is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

I2 S. 37 in force at 1.5.2005 by [S.S.I. 2004/404](#), [art. 2\(1\)](#)

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