



Building (Scotland) Act 2003

2003 asp 8

PART 5

GENERAL

Execution of work

45 Compulsory purchase where owner cannot be found

- (1) This section applies where—
 - (a) a local authority has carried out work under section 29(2) or (3) or 30(4)(b), and
 - (b) the expenses incurred in doing so cannot be recovered from the owner of the building because the owner cannot be found.
- (2) In such a case the Scottish Ministers may authorise the local authority to purchase the building and its site compulsorily.
- (3) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42) applies in relation to a compulsory purchase under subsection (2) as if that subsection had been in force immediately before the commencement of that Act.
- (4) The local authority may deduct from the compensation payable on a compulsory purchase under that subsection the amount of the expenses referred to in subsection (1) (b) so far as not otherwise recovered.

Commencement Information

II S. 45 in force at 1.5.2005 by [S.I. 2004/404](#), [art. 2\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Building (Scotland) Act 2003, Section 45.