Building (Scotland) Act 2003

2003 asp 8

PART 5

GENERAL

[F1 Charging orders

[F1 46E Registration

(1) The local authority must register a charging order in the appropriate land register.

(2) A charging order may be registered in any period during which the order is of no effect by virtue of section 47(4).

(3) On the registration of a charging order, the charge specified in the order is created in respect of the building specified in it.

(4) A registered charging order is enforceable at the instance of the local authority against the owner of the charged building (but subject to section 46F).

(5) The local authority must register a discharge of a charging order in the appropriate land register as soon as reasonably practicable after it has received—

(a) payment in full of the repayable amount, or

(b) a sum redeeming the repayable amount under section 46D(2).

(6) On the registration of the discharge of a charging order, the charge specified in the order is discharged.**]**

Textual Amendments

F1 Ss. 46A-46H and preceding cross-heading inserted (24.1.2015) by Buildings (Recovery of Expenses) (Scotland) Act 2014 (asp 13), **ss. 1(b)**, 3(2)

Changes to legislation:
There are currently no known outstanding effects for the Building (Scotland) Act 2003, Section 46E.