

Building (Scotland) Act 2003

2003 asp 8

PART 5

GENERAL

Offences and liability

50 Criminal liability of trustees etc.

In proceedings for an offence under Part 3 or 4, it is a defence for a person to prove that, at the date of service of the notice in question—

- (a) the person had no interest in the building except in the capacity of a trustee, tutor, curator, guardian, judicial factor or liquidator of a company, and
- (b) the total amount of the funds, rents and other assets in the person's hands in that capacity was less than the amount of the expenses which would have been incurred if the notice had been complied with.