

TENEMENTS (SCOTLAND) ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Repairs: Costs and Access

Section 13 – Notice of potential liability for costs: further provision

72. *Section 13(1)* sets out who may register a notice of potential liability for costs which must be signed by or on behalf of the applicant. *Subsection (2)* makes it clear that a notice may be registered in relation to more than one flat or in relation to more than one piece of work. A notice will expire after three years under *subsection (3)* to remove the need for a discharge, though it may be renewed. Under *subsection (4)*, the rules in *section 13* apply to a renewed notice of potential liability as they apply to any other such notice.
73. *Subsection (5)* provides that the Keeper of the Registers of Scotland will not be required to determine whether or not the information contained in a notice of potential liability for costs is accurate and *subsection (7)* makes it clear that there will be no entitlement to be indemnified by the Keeper for any loss which arises in consequence of an inaccuracy in any information contained in a notice of potential liability for costs registered under the Tenements Act or the Title Conditions Act.