



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 7

HOUSING: ANTISOCIAL BEHAVIOUR NOTICES

Antisocial behaviour notices

68 Antisocial behaviour notices

- (1) Where it appears to a local authority that either person mentioned in subsection (2) is engaging in antisocial behaviour at, or in the locality of, a relevant house situated within the authority's area, the authority may serve an antisocial behaviour notice on the landlord of the relevant house.
- (2) Those persons are—
 - (a) any person who, by virtue of a tenancy or an occupancy arrangement, occupies the relevant house mentioned in subsection (1); and
 - (b) any visitor for the time being in that house.
- (3) An antisocial behaviour notice is a notice—
 - (a) describing the antisocial behaviour that has been engaged in at, or in the locality of, the relevant house to which the notice relates by either of the persons mentioned in subsection (2);
 - (b) requiring the landlord of the relevant house to take, before the expiry of such period as may be specified in the notice, such action for the purpose of dealing with the antisocial behaviour as may be so specified;
 - (c) stating the consequences of failure to take, within that period, the action so specified; and
 - (d) informing the landlord of the right to request a review under section 69(1).
- (4) If the local authority is aware of the name and address of a person who acts for the landlord as respects the tenancy or occupancy arrangement relating to the relevant house, the authority shall, in addition to serving a notice on the landlord under subsection (1), give a copy of the notice to the person.

Status: Point in time view as at 28/10/2004. This version of this provision has been superseded.

Changes to legislation: *Antisocial Behaviour etc. (Scotland) Act 2004, Section 68 is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (5) If—
- (a) the local authority is unable to identify the landlord, it may serve the notice under subsection (1) by publishing it in two or more newspapers (of which one shall, if practicable, be a local newspaper) circulating in the locality of the relevant house;
 - (b) the local authority is aware of the landlord’s identity but is unable to ascertain the landlord’s current address, it may serve the notice under that subsection by serving it on the landlord—
 - (i) at the relevant house; and
 - (ii) if it is aware of a previous address of the landlord, at that address.
- (6) For the purpose of applying this Part in relation to relevant houses which are used for holiday purposes, the Scottish Ministers may by order make such modifications of the Part as they consider necessary or expedient.

Commencement Information

- II** S. 68 wholly in force at 30.4.2006; s. 68 not in force at Royal Assent see s. 145(2); s. 68 in force for specified purposes at 28.10.2004 and 9.11.2005 and for all other purposes at 30.4.2006 by [S.S.I. 2004/420](#), arts. 2, 3, Schs. 1, 6 (as amended by [S.S.I. 2005/553](#), art. 2, [Sch.](#) and [S.S.I. 2006/104](#), art. 2)

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