



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 1

#### HOUSING STANDARDS

#### CHAPTER 8

#### SUPPLEMENTAL PROVISIONS, INCLUDING APPEALS

#### *Supplemental*

#### 57 Obstructions etc.

- (1) This section applies if, after receiving notice of the intended action, any person prevents or obstructs any other person from doing anything which that other person is by or under this Part required, authorised or entitled to do.
- (2) Where this section applies, the [<sup>F1</sup>relevant authority] may order the person who prevented or obstructed another person to permit that other person to do all things which the other person reasonably requires to do for the purposes of—
  - (a) complying with any requirement imposed by or under this Part, or
  - (b) doing anything which that other person is by or under this Part authorised or entitled to do.

[<sup>F2</sup>(2A) In subsection (2), the relevant authority is—

- (a) where the requirement or thing which the person is authorised or entitled to do relates to the repairing standard, the First-tier Tribunal,
- (b) in any other case, the sheriff.]
- (3) Any person who fails to comply with such an order is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) This section does not apply in relation to rights conferred by Part 9 (except the right conferred by section 181(4)(a)).

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**Changes to legislation:** *There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 57. (See end of Document for details)*

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### **Textual Amendments**

- F1** Words in s. 57(2) substituted (1.12.2017) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 17(4)(a)**, 104(3); S.S.I. 2017/330, art. 3, sch.
- F2** S. 57(2A) inserted (1.12.2017) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 17(4)(b)**, 104(3); S.S.I. 2017/330, art. 3, sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 57.