

# HOUSING (SCOTLAND) ACT 2014

---

## EXPLANATORY NOTES

### THE STRUCTURE AND A SUMMARY OF THE ACT

#### Part Six – Private Housing Conditions

##### Charging orders

185. [Section 92](#) modifies the period of recovery for charging orders made under Schedule 9 to the Housing (Scotland) Act 1987, which relates to recovery of expenses by charging orders in favour of local authorities after the authority has carried out certain work on a building. These modifications make similar provision for charging orders under the 1987 Act to the changes relating to repayment charges under the 2006 Act that are described in the previous paragraph.
186. [Section 92](#) also amends paragraph 4 and repeals paragraph 6 of Schedule 9 to the 1987 Act. This is to remove references to feu duties.
187. The Abolition of Feudal Tenure etc. (Scotland) Act 2000 (“the 2000 Act”) abolished feu duties and related payments. Paragraph 4(b)(i) of Schedule 9 to the 1987 Act made provision on the priority between, on the one hand, a charging order under Schedule 9 and, on the other hand, feu duties and related payments. Paragraph 6 provided for recovery of charging order annuities in the same manner as feu duties. Given that feu duties and related payments have been abolished, there is no longer any need for these provisions.
188. [Section 92\(2\)](#) and [\(3\)](#) makes consequential amendments to section 108(2) of the Civic Government (Scotland) Act 1982 and section 19(3) of the Crofters (Scotland) Act 1993 to remove references to paragraph 4(b)(i) of Schedule 9 to the 1987 Act.