

Changes to legislation: There are currently no known outstanding effects for the Tenements (Scotland) Act 2004, RULE 8 –. (See end of Document for details)

SCHEDULE 1 TENEMENT MANAGEMENT SCHEME

RULE 8 – ENFORCEMENT

Scheme binding on owners

8.1 This scheme binds the owners.

Commencement Information

II Sch. 1 in force at 28.11.2004 by [S.S.I. 2004/487](#), [art. 2\(1\)\(d\)](#)

Scheme decision to be binding

8.2 A scheme decision is binding on the owners and their successors as owners.

Commencement Information

II Sch. 1 in force at 28.11.2004 by [S.S.I. 2004/487](#), [art. 2\(1\)\(d\)](#)

Enforceability of scheme decisions

8.3 Any obligation imposed by this scheme or arising from a scheme decision may be enforced by any owner.

Commencement Information

II Sch. 1 in force at 28.11.2004 by [S.S.I. 2004/487](#), [art. 2\(1\)\(d\)](#)

Enforcement by third party

8.4 Any person authorised in writing for the purpose by the owner or owners concerned [^{F1}and a local authority entitled to recover costs under section 4A(5)] may—

- (a) enforce an obligation such as is mentioned in rule 8.3 on behalf of one or more owners, and
- (b) in doing so, may bring any claim or action in that person’s own name.

Textual Amendments

F1 Words in [sch. 1 rule 8.4](#) inserted (1.4.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), [ss. 85\(1\)\(e\)](#), 104(3); [S.S.I. 2015/122](#), [art. 2](#)

Commencement Information

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