
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 35

**The Health Protection (Coronavirus) (Restrictions
and Requirements) (Local Levels) (Scotland)
Amendment (No. 14) Regulations 2021**

Amendment to schedule 5: residential properties (eviction)

4. In schedule 5 (level 4 restrictions), in paragraph 10A(1)—
- (a) the cross-heading of the paragraph becomes “Residential properties (eviction)”, and
 - (b) in sub-paragraph (4)—
 - (i) for the definition of “a charge for removing”, substitute—

““a charge for removing” means a charge to remove from subjects or premises, as required by section 216(1) (service of charge before removing) of the 2007 Act in the case of a decree for removing from heritable property,” and
 - (ii) for the definition of “a decree for removing from heritable property”, substitute—

““a decree for removing from heritable property” means a decree, order or warrant of a type mentioned in any of the following paragraphs of section 214(2) of the 2007 Act—

 - (a) paragraph (a) or (b), where the decree or warrant is obtained by a creditor in a security over land used to any extent for residential purposes following an application under either or both—
 - (i) section 5(1) (power to eject proprietor in personal occupation) of the Heritable Securities (Scotland) Act 1894, or
 - (ii) section 24(1B) (application by creditor to court for remedies on default) of the Conveyancing and Feudal Reform (Scotland) Act 1970,
 - (b) paragraph (f),
 - (c) paragraph (g), or
 - (d) paragraph (k).”.