



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART VI

CLOSING AND DEMOLITION ORDERS

Offences

122 Penalty for use of premises in contravention of closing order or of undertaking.

(1) If any person—

- (a) knowing that a closing order made under section 114 or section 119 has become operative and applies to any premises, uses those premises or permits those premises to be used for human habitation without having obtained the consent of the local authority to the use of the premises for that purpose; or
- (b) knowing that an undertaking that any premises shall not be used for human habitation has been accepted by the local authority under this Part, uses those premises for human habitation or permits them to be so used,

he shall be guilty of an offence.

(2) Any person guilty of an offence under subsection (1) shall be liable on summary conviction—

- (a) to a fine not exceeding level 5 on the standard scale, or to imprisonment for a term not exceeding 3 months or to both such fine and such imprisonment; and
- (b) in the case of a continuing offence, to a further fine of £5 for every day or part of a day on which he so uses those premises, or permits them to be so used, after conviction.

Changes to legislation:

Housing (Scotland) Act 1987, Cross Heading: Offences is up to date with all changes known to be in force on or before 09 May 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)