

Changes to legislation: Housing (Scotland) Act 1987, Paragraph 4 is up to date with all changes known to be in force on or before 29 June 2023. 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. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 9

RECOVERY OF EXPENSES BY CHARGING ORDER

Modifications etc. (not altering text)

C1 Sch. 9 applied (27.8.1993) by 1993 c. 11, ss. 62(2)(a)(ii), 68(2).

- 4 —Every annuity constituting a charge by a charging order duly recorded in the General Register of Sasines or registered in the Land Register, as the case may be, shall be a charge on the premises specified in the order and shall have priority over—
- (a) all future burdens and incumbrances on the same premises, and
 - (b) all existing burdens and incumbrances thereon except—
 - ^{F1}(i)
 - (ii) any charges created or arising under any provision of the Public Health (Scotland) Act 1897 or any Act amending that Act, or any local Act authorising a charge for recovery of expenses incurred by a local authority, or under this Schedule; and
 - (iii) any charge created under any Act authorising advances of public money.

Textual Amendments

F1 Sch. 9 para. 4(b)(i) repealed (1.4.2015) by Housing (Scotland) Act 2014 (asp 14), ss. 92(1)(d), 104(3); S.S.I. 2015/122, art. 2

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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\(40\)\(a\)\(b\)](#)