



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XVI

GENERAL AND MISCELLANEOUS

Offences

319 Penalty for preventing execution of works, etc.

- (1) If any person, after receiving notice of the intended action—
- (a) being the occupier of any premises, prevents the owner or other person having control of them, or his officers, agents, servants or workmen from carrying into effect with respect to those premises ^{F1}... any of the provisions of a byelaw made under section 313; or
 - (b) being the owner or occupier of any premises, or a person having control of any premises, prevents any officers, agents, servants or workmen of the local authority, from so doing; or
 - (c) being the occupier of any part of a house subject to a control order under Part VIII, prevents any officers, agents, servants or workmen of the local authority from carrying out any works in the house,

the sheriff or any two justices of the peace sitting in open court or any magistrate having jurisdiction in the place on proof thereof may order that person to permit to be done on the premises all things requisite for carrying into effect such provisions with respect to the premises or, in a case falling under paragraph (c), everything which the local authority consider necessary.

- (2) If any such person fails to comply with such an order, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Changes to legislation: *Housing (Scotland) Act 1987, Section 319 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. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** Words in s. 319(1)(a) repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3
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Modifications etc. (not altering text)

- C1** S. 319 applied (27.8.1993) by [1993 c. 11](#), [ss. 62\(2\)\(a\)\(ii\)](#), 68(2).
S. 319 modified (27.8.1993) by [1993 c. 11](#), [ss. 62\(2\)\(d\)](#), 68(2).

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