



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XVI

GENERAL AND MISCELLANEOUS

Powers of sheriff for housing purposes

324 Procedure on applications and appeals to sheriff.

- (1) An application to the sheriff under paragraph 5 of Schedule 10 (restriction on contracting out) or section 110 (recovery of expenses by lessee) or Part VIII (houses in multiple occupation) shall be made by a summary application, and the sheriff's decision on any such application shall be final.
- (2) The Court of Session may prescribe by rules of court the procedure on any appeal to the sheriff under this Act.
- (3) The sheriff may, before considering an appeal which may be made to him under this Act, require the appellant to deposit such sum to cover the expenses of the appeal as may be prescribed by rules of court.
- (4) The sheriff in deciding an appeal under this Act may make such order as he thinks just.
- (5) Any such order shall be final.
- (6) In the case of an appeal against a notice given or an order made by a local authority, the sheriff may either confirm, vary or quash the notice or order.
- (7) The sheriff—
 - (a) may at any stage of the proceedings on an appeal under this Act, state a case to the Court of Session on any question of law that arises;
 - (b) shall do so if so directed by the Court of Session.
- (8) A notice or order in respect of which an appeal lies to the sheriff under this Act (other than Part VIII) shall not have effect until either—

Changes to legislation: *Housing (Scotland) Act 1987, Section 324 is up to date with all changes known to be in force on or before 08 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](#)*

- (a) the time for appealing has expired without an appeal being made, or
 - (b) in a case where an appeal is made, the appeal is determined or abandoned,
- and no work shall be done or proceedings taken under such notice or order until it has effect.

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