



# Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

## 1997 CHAPTER 9

### PART I

#### LISTED BUILDINGS

#### CHAPTER V

##### PREVENTION OF DETERIORATION AND DAMAGE

*[<sup>F1</sup>Liability of owner and successors for expenses of works executed under section 49*

**[<sup>F1</sup>50A Liability of owner and successors for expenses of works executed under section 49**

- (1) An owner of a listed building who is liable for expenses under section 50(2) does not, by virtue only of ceasing to be such an owner, cease to be liable for those expenses.
- (2) Subject to subsection (3), where a person becomes an owner of a listed building (any such person being referred to in this section as a “new owner”) that person is severally liable with any former owner of the building for any expenses for which the former owner is liable under section 50(2).
- (3) A new owner is liable as mentioned in subsection (2) only if the condition mentioned in subsection (4) or subsection (5) is met.
- (4) The condition is that—
  - (a) a notice (a “notice of liability for expenses”) in the form prescribed under section 50G is registered in relation to the building,
  - (b) the notice was registered at least 14 days before the acquisition date, and
  - (c) the notice has not expired before the acquisition date.

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**Changes to legislation:** Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 50A is up to date with all changes known to be in force on or before 12 July 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](#)

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- (5) The condition is that—
- (a) a notice of renewal (within the meaning of section 50C) in relation to the building is registered, and
  - (b) that notice has not expired before the acquisition date
- (6) A notice of liability for expenses is to specify—
- (a) the expenses mentioned in subsection (2), and
  - (b) the works to which the expenses relate.
- (7) In this section, “acquisition date” means the date on which the new owner acquired right to the listed building.
- (8) Where a new owner of a listed building pays any expenses for which a former owner of the building is liable, the new owner may recover the amount so paid from the former owner.
- (9) A person who is entitled to recover an amount under subsection (8) does not, by virtue only of ceasing to be the owner of the listed building, cease to be entitled to recover that amount.
- (10) This section applies as respects any expenses for which an owner of a listed building becomes liable on or after the day on which this section comes into force.]

#### Textual Amendments

- F1** Ss. 50A-50G and cross-heading inserted (30.6.2011 for specified purposes, 1.12.2011 in so far as not already in force) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 26(3), 33(2)**; [S.S.I. 2011/174, art. 2, sch.](#); [S.S.I. 2011/372, art. 2, sch.](#)

**Changes to legislation:**

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 50A is up to date with all changes known to be in force on or before 12 July 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.

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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. 82(1)(aa)-(ad) inserted by [2006 asp 17 s. 55\(5\)](#)