



Housing (Scotland) Act 2006

2006 asp 1

PART 9

RIGHTS OF ENTRY

182 Warrants authorising entry

- (1) A sheriff or a justice of the peace may by warrant authorise any person entitled to exercise a right conferred by subsection (1) [^{F1}, (1A)] [^{F2}, (2) or (2A)] of section 181 to do so, if necessary using reasonable force, in accordance with the warrant.
 - (2) A warrant may be granted under subsection (1) only if the sheriff or justice is satisfied, by evidence on oath—
 - (a) that there are reasonable grounds for the exercise of the right in relation to the land or premises concerned, and
 - (b) that—
 - (i) the exercise of the right in relation to the land or premises has been refused,
 - (ii) such a refusal is reasonably expected,
 - (iii) the land is, or premises are, unoccupied,
 - (iv) the occupier is temporarily absent,
 - (v) the case is one of urgency, or
 - (vi) that an application for admission would defeat the object of the proposed entry.
 - (3) A sheriff or justice may not be satisfied that a condition specified in any of heads (ii) to (iv) of subsection (2)(b) is met unless the sheriff or justice is also satisfied that notice of intention to apply for a warrant has been given to the occupier of the land or premises concerned.
- [^{F3}(3A) In relation to an application for a warrant under section 181(1A), the reference to the occupier in subsection (3) is to be read as including the tenant, the landlord and any known agent of the landlord.]

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 182. (See end of Document for details)

Textual Amendments

- F1** Word in s. 182(1) inserted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 25(7)(a)**, 104(3); [S.S.I. 2015/349](#), art. 3, sch.
- F2** Words in s. 182(1) substituted (1.12.2015) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 35(7)**, 41(3); [S.S.I. 2015/326](#), art. 2(3)
- F3** S. 182(3A) inserted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 25(7)(b)**, 104(3); [S.S.I. 2015/349](#), art. 3, sch.

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 182.