



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART VIII

BUILDINGS, ETC.

Powers of entry, execution of works, etc.

99 Power to enter, execute works and recover expense.

- (1) Where, under any notice served by a local authority under this Part of this Act, anything is required to be done by the owner or occupier of land or premises in relation to the land or premises an authorised officer of the local authority may, on the expiration of any period of time specified in the notice as that in which the thing has to be done, enter the land or premises to see if whatever is required to be done under the notice has been done.
- (2) Where—
 - (a) under any notice served by a local authority under this Part of this Act, anything is required to be done by the owner or occupier of land or premises in relation to the land or premises and the owner, or as the case may be, the occupier fails to do it in accordance with the notice; and
 - (b) there is no express provision in this Act, apart from this section, authorising the local authority to do whatever is required by the notice to be done,any person authorised by the local authority may enter the land or premises and do or cause to be done whatever is required by the notice to be done.
- (3) A person shall not be entitled to exercise the powers which he may exercise under subsections (1) or (2) above until he has produced his authorisation to do so to the person for the time being in charge of the land or premises.
- (4) Subject to subsection (7) below, a local authority shall be entitled to recover the expense of doing anything in relation to any land or premises under subsection (2) above from the owner or, as the case may be, the occupier of the land or premises

Changes to legislation: Civic Government (Scotland) Act 1982, Section 99 is up to date with all changes known to be in force on or before 28 April 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](#)

but may remit any sum or any part of any sum due to them under this subsection as they think fit.

- (5) Where such expense as is mentioned in subsection (4) above is recoverable under that subsection from more than one person, the local authority may apportion such expense among them.
- (6) Where a local authority claim to recover any expense as is mentioned in subsection (4) above from a person and he proves that he—
 - (a) is receiving the rent of the land or premises merely as trustee, tutor, curator, factor or agent for some other person; and
 - (b) has not, and since the date of service on him of the demand for payment has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the authority,his liability shall be limited to the total amount of money which he has or has had in his hands as aforesaid.
- (7) Subsection (4) above does not apply in relation to any cleaning of common property done under subsection (2) above.
- (8) In this section and in sections 100 to 109 of this Act references to the occupier of land or premises include references to the occupier of common property within the meaning given to those expressions by section 92 of this Act.

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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. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)