



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 4

CLOSURE OF PREMISES

Closure notices

27 Service etc.

- (1) This section applies where the service of a closure notice in respect of premises is authorised under section 26(1).
- (2) The closure notice shall be served by a constable who shall do so by—
 - (a) fixing a copy of the notice to—
 - (i) at least one prominent place on the premises;
 - (ii) each normal means of access to the premises; and
 - (iii) any outbuildings that appear to the constable to be used with or as part of the premises; and
 - (b) giving a copy of the notice to—
 - (i) each person identified in pursuance of section 26(3)(b)(ii) [^{F1}or (as the case may be) (3A)(b)(ii)]; and
 - (ii) every other person appearing to the constable to be a person of a description mentioned [^{F2}there].
- (3) If after having made reasonable enquiries at the time of serving the closure notice under subsection (2) the constable believes that the access of any person who occupies—
 - (a) any other part of the building; or
 - (b) any other structure,in which the premises are situated would be impeded by the making of an order under section 30, the constable shall give a copy of the notice to that person.

Changes to legislation: *Antisocial Behaviour etc. (Scotland) Act 2004, Section 27 is up to date with all changes known to be in force on or before 23 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*

- (4) Failure to comply with subsection (2)(b) or (3) shall not affect the validity of the closure notice.
- (5) The closure notice shall—
- (a) specify the premises to which it relates;
 - (b) state that access to the premises by any person other than—
 - (i) a person who habitually resides in the premises; or
 - (ii) the owner of the premises,is prohibited;
 - (c) state that failure to comply with the notice amounts to an offence;
 - (d) state that an application is to be made under section 28 for the closure of the premises;
 - (e) specify such matters about that application as may be prescribed in rules of court;
 - (f) explain the effects of an order made under section 30; and
 - (g) give information about the names of, and means of contacting, persons who and organisations which provide advice about housing and legal matters in the locality of the premises.

Textual Amendments

- F1** Words in s. 27(2)(b)(i) inserted (13.12.2010) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 99\(2\)\(a\)](#), 206; S.S.I. 2010/413, [art. 2](#), Sch (with art. 6)
- F2** Word in s. 27(2)(b)(ii) substituted (13.12.2010) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), [ss. 99\(2\)\(b\)](#), 206; S.S.I. 2010/413, [art. 2](#), Sch (with art. 6)

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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. 85B inserted by [2014 asp 14 s. 21\(1\)](#)