



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 5

NOISE NUISANCE

Interpretation

53 Meaning of “relevant place” and “relevant property”

(1) In this Part—

“relevant place” means—

- (a) any place within accommodation (except, in the case of measurement of noise emitted from relevant property which is accommodation, that accommodation); and
- (b) such other place as may be prescribed;

“relevant property” means—

- (a) any accommodation;
- (b) any land belonging exclusively to, or enjoyed exclusively with, any accommodation;
- (c) any land not falling within paragraph (b)—
 - (i) to which at least two persons have rights in common; and
 - (ii) which is used by those persons as a private garden;
- (d) any common passage, close, court, stair, lift or yard pertinent to any tenement or group of separately owned houses; or
- (e) such other place as may be prescribed.

(2) In subsection (1)—

“accommodation” means a building or other structure (or part of a building or other structure) used or intended to be used as a separate unit of accommodation (whether on a permanent basis or otherwise); and

“prescribed” means prescribed by the Scottish Ministers by order.

Changes to legislation:

Antisocial Behaviour etc. (Scotland) Act 2004, Section 53 is up to date with all changes known to be in force on or before 25 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.

[View outstanding changes](#)

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\(1\)](#)