



# Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

## PART 7

### HOUSING: ANTISOCIAL BEHAVIOUR NOTICES

#### *Failure to comply with notice: sanctions*

#### **79 Failure to comply with notice: offence**

- (1) Where—
- (a) a local authority serves an antisocial behaviour notice on a landlord under section 68(1) [<sup>F1</sup>or (1A)]; and
  - (b) the landlord fails to take the action specified in the notice within the time so specified,
- the landlord shall be guilty of an offence.
- (2) A landlord guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) It shall be a defence for a landlord charged with an offence under subsection (1) to show that there was a reasonable excuse for the failure in question.

#### **Textual Amendments**

- F1** Words in s. 79(1) inserted (12.3.2011) by [The Antisocial Behaviour Notices \(Houses Used for Holiday Purposes\) \(Scotland\) Order 2011 \(S.S.I. 2011/201\)](#), arts. 1, **8**

**Changes to legislation:**

Antisocial Behaviour etc. (Scotland) Act 2004, Section 79 is up to date with all changes known to be in force on or before 21 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\(1\)](#)