



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 8

HOUSING: REGISTRATION OF CERTAIN LANDLORDS

Registration

92 Appeal against refusal to register or removal from register

- (1) Subsection (2) applies where—
 - (a) under section 84(2)(b) a local authority refuses to enter a person in the register maintained by it under section 82(1); or
 - (b) under section 88(8) or 89(1) an authority removes a person from the register.
- (2) The sheriff may, on the application of the person, make an order—
 - (a) requiring the authority to enter the person in the register; and
 - (b) specifying whether the entry shall be deemed to be made by virtue of subsection (3) or (4) of section 84.
- (3) Where by virtue of subsection (2) a local authority enters a person in the register maintained by it under section 82(1), the entry shall be deemed to have been made under subsection (2)(a) of section 84 by virtue of the subsection specified in the order.
- (4) An application such as is mentioned in subsection (2) shall be made by summary application.
- (5) An appeal against the decision of a sheriff granting or refusing an application under subsection (2) shall be made to the sheriff principal and shall be made within the period of 21 days beginning with the day on which the decision appealed against was made.
- (6) The decision of the sheriff principal on an appeal under this section shall be final.