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*Changes to legislation: There are currently no known outstanding effects for the Tenements (Scotland) Act 2004, Paragraph 4. (See end of Document for details)*

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### SCHEDULE 3 SALE UNDER SECTION 22(3) OR 23(1)

#### *Exercise of power of sale*

- 4 (1) An owner in whose favour a power of sale order is granted may exercise the power conferred by the order by private bargain or by exposure to sale.
- (2) However, in either case, the owner shall—
- (a) advertise the sale; and
  - (b) take all reasonable steps to ensure that the price at which the sale subjects are sold is the best that can reasonably be obtained.
- (3) In advertising the sale in pursuance of sub-paragraph (2)(a) above, the owner shall, in particular, ensure that there is placed and maintained on the sale subjects a conspicuous sign—
- (a) advertising the fact that the sale subjects are for sale; and
  - (b) giving the name and contact details of the owner or of any agent acting on the owner's behalf in connection with the sale.
- (4) So far as may be necessary for the purpose of complying with sub-paragraph (3) above, the owner or any person authorised by the owner shall be entitled to enter any part of the sale subjects not owned, or not owned exclusively, by that owner.

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#### **Commencement Information**

**II** Sch. 3 para. 4 in force at 28.11.2004 by [S.S.I. 2004/487](#), **art. 2(1)(d)**

**Changes to legislation:**

There are currently no known outstanding effects for the Tenements (Scotland) Act 2004, Paragraph 4.