

**2004 No.552**

**TITLE CONDITIONS**

**The Title Conditions (Scotland) Act 2003 (Notice of Potential Liability for Costs) Amendment Order 2004**

*Made - - - - 22nd December 2004*

*Laid before the Scottish Parliament 22nd December 2004*

*Coming into force in accordance with article 1*

The Scottish Ministers, in exercise of the powers conferred by section 128(3)(a) of the Title Conditions (Scotland) Act 2003(a), hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Title Conditions (Scotland) Act 2003 (Notice of Potential Liability for Costs) Amendment Order 2004 and shall come into force on the day after the day on which it is made.

**Amendment of Schedule 1A**

2.—(1) The Title Conditions (Scotland) Act 2003 is amended in accordance with paragraph (2).  
(2) In Schedule 1A (form of notice of potential liability for costs) in the first line of the introductory paragraph in the form of Notice after “out” insert “, or to be carried out,”.

*HUGH HENRY*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
22nd December 2004

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(a) 2003 asp 9. Schedule 1A was inserted by paragraph 20 of Schedule 4 to the Tenements (Scotland) Act 2004 (asp 11). Section 128(3)(a) was amended by the Tenements (Scotland) Act 2004 (Consequential Provisions) Order 2004 (S.S.I. 2004/ ).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends Schedule 1A to the Title Conditions (Scotland) Act 2003 (“the 2003 Act”). Schedule 1A sets out the form of notice of potential liability for costs for the purposes of section 10(2A) of the 2003 Act. Schedule 1A was inserted into the 2003 Act by paragraph 20 of Schedule 4 to the Tenements (Scotland) Act 2004. A notice under section 10(2A) may be registered in respect of maintenance or work irrespective of whether that maintenance or work is carried out before or after the registration of the notice. This order amends the form of the notice set out in Schedule 1A to reflect this.

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