

SCHEDULE 7 REGULATION OF REGISTERED SOCIAL LANDLORDS

PART 3

ACCOUNTS AND AUDIT

General requirements as to accounts and audit

- 13 (1) The Scottish Ministers may by order determine accounting requirements for registered social landlords with a view to ensuring that the accounts of every registered social landlord—
- (a) are prepared in a proper form, and
 - (b) give a true and fair view of—
 - (i) the state of affairs of the landlord, so far as its housing activities are concerned, and
 - (ii) the disposition of funds and assets which are, or at any time have been, in its hands in connection with those activities.
- (2) The accounts of every registered social landlord must comply with the requirements determined under this paragraph.
- (3) The auditor's report must state, in addition to any other matters which it is required to state, whether in the auditor's opinion the accounts do so comply.
- (4) Every registered social landlord must submit to the Scottish Ministers a copy of its accounts and auditor's report within six months of the end of the period to which they relate.
- (5) An order under this paragraph must not apply to a period beginning before the day on which the order comes into force.

Appointment of auditors by industrial and provident societies

- 14 Section 4 (obligation to appoint qualified auditors to audit accounts and balance sheet for each year of account) of the Friendly and Industrial and Provident Societies Act 1968 (c. 55) applies to every industrial and provident society which is a registered social landlord, without regard to the volume of its receipts and payments, the number of its members or the value of its assets.

Responsibility for securing compliance with accounting requirements

- 15 (1) Every responsible person, that is to say, every person who—
- (a) is directly concerned with the conduct and management of the affairs of a registered social landlord, and
 - (b) is in that capacity responsible for the preparation and audit of accounts,
- must ensure that paragraph 13 is complied with by the landlord.
- (2) If—
- (a) paragraph 13(4) is not complied with, or
 - (b) the accounts submitted to the Scottish Ministers under that provision do not comply with the accounting requirements determined under paragraph 13(1),

Status: This is the original version (as it was originally enacted).

every responsible person, and the registered social landlord itself, is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

- (3) In proceedings for an offence under this paragraph it is a defence—
- (a) for a responsible person to prove that that person did everything that could reasonably have been expected of the person by way of discharging the relevant duty,
 - (b) for a registered social landlord to prove that every responsible person did everything that could reasonably have been expected of the person by way of discharging the relevant duty in relation to the registered social landlord.