



# Housing (Scotland) Act 1987

## CHAPTER 26

### HOUSING (SCOTLAND) ACT 1987

#### PART I

##### PROVISION OF HOUSING

###### *Duties and powers of local authorities*

- 1 Duty of local authority to consider needs of their area for further housing accommodation.
- 2 Powers of local authority to provide housing accommodation.
- 3 Power of local authority to provide shops, etc., in connection with housing accommodation.
- 4 Power of local authority to provide furniture, etc.
- 5 Power of local authority to provide board and laundry facilities.
- 5A Power of local authority to provide welfare services.
- 5B Power to repeal provisions relating to welfare services.
- 6 Duty of local authority to have regard to amenities of locality, etc.
- 7 Execution of works by local authority in connection with housing operations outside their area.
- 8 Adjustment of differences between local authorities as to carrying out of proposals for provision of housing accommodation.

###### *Acquisition and disposal of land*

- 9 Power of local authority to acquire land for, or in connection with, provision of housing accommodation.
- 10 Procedure for acquiring land.
- 11 Local authority may take possession of land to be acquired by agreement or appropriated for purposes of this Part.

*Status: Point in time view as at 01/04/2002.*

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- 12 Powers of dealing with land acquired or appropriated for purposes of this Part.
- 12A Consent of Secretary of State required for certain subsequent disposals.
- 13 Power of Secretary of State in certain cases to impose conditions on sale of local authority's houses, etc.
- 14 Powers of local authorities to sell certain houses without consent of Secretary of State.
- 15 Power of local authority to enforce obligations against owner for time being of land.
- 16 Disposal of land for erection of churches, etc.

*Management and allocation of local authority's houses*

- 17 General management and inspection of local authority's houses.

*Standards and performance in housing management*

- 17A Publication of information.
- 17B Power of Secretary of State to direct local authority.
- 17C Management plan.
- 18 Byelaws for regulation of local authority's houses.
- 19 Admission to housing list
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- 21 Publication of rules relating to the housing list and to transfer of tenants.

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- 22 Agreements for exercise by housing co-operatives of local authority housing functions.
- 22A Management agreements with housing co-operatives.

*Powers of Scottish Special Housing Association*

- 23 Improvement of amenities of residential area by development corporations.

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- 24 Homeless persons and persons threatened with homelessness.
- 25 Priority need for accommodation.
- 26 Becoming homeless intentionally.
- 27 Meaning of "local connection".

*Duties of local authorities with respect to homelessness and threatened homelessness*

- 28 Inquiry into cases of possible homelessness or threatened homelessness.
- 29 Interim duty to accommodate in case of apparent priority need.
- 30 Notification of decision and reasons.
- 31 Duties to persons found to be homeless.
- 32 Duties to persons found to be threatened with homelessness.
- 32A Power of the Scottish Ministers to modify application of sections 31 and 32
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- 34 Duties to persons whose applications are referred.
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- 39 Financial and other assistance for voluntary organisations concerned with homelessness.

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- 42 Application of this Part to cases arising in England or Wales.
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- 45 Special provision for housing associations.
- 46 Restriction on termination of secure tenancy.
- 47 Proceedings for possession.
- 48 Powers of sheriff in proceedings.
- 49 Rights of landlord where a secure tenancy appears to have been abandoned.
- 50 Repossession.
- 51 Tenant's right of recourse to sheriff.

*Succession*

- 52 Succession to secure tenancy.

*Leases*

- 53 Tenant's right to written lease.
- 54 Restriction on variation of terms of secure tenancies.

*Subletting*

- 55 No subletting by secure tenant without landlord's consent.
- 56 Rent payable by subtenants.

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- 57 Landlord's consent to work.

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- 58 Reimbursement of cost of work.
- 58A Right to compensation for improvements.
- 59 Effect of works on rent.
- 60 Right to have repairs carried out.

*Right to buy*

- 61 Secure tenant's right to purchase
- 61A Limitation on right to purchase from registered social landlords
- 61B Limitation on right to purchase: pressured areas
- 61C Pressured area proposals: procedure
- 61D Limitation on right to purchase: arrears of rent, council tax etc.
- 61E Limitation on right to purchase: conduct
- 62 The price.
- 62A Eligibility for rent to loan scheme.

*Procedure*

- 63 Application to purchase and offer to sell.
- 64 (1) Subject to section 75, an offer to sell under...
- 65 Variation of conditions.
- 66 Notice of acceptance.
- 66A Abatement of purchase price on landlord's failure before contract of sale.
- 66B Abatement of purchase price on landlord's failure after contract of sale.
- 66C Provisions relating to sections 66A and 66B.
- 67 Fixed price option.
- 68 Refusal of applications.

*Houses provided for special purposes*

- 69 Secretary of State's power to authorise refusal to sell certain houses provided for persons of pensionable age.
- 70 Power to refuse to sell certain houses required for educational purposes.

*Houses liable to demolition*

- 70A Authorisation of refusal to sell houses liable to demolition

*Lands Tribunal*

- 71 Reference to Lands Tribunal.

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- 72 Recovery of discount on early re-sale.
- 73 Cases where discount etc. is not recoverable .

*Rent to loan scheme*

- 73A The rent to loan scheme.
- 73B The initial capital payment.
- 73C The deferred financial commitment.
- 73D Deferred financial commitment: further provisions.
- 74 Duties of landlords.
- 75 Agreements affecting right to purchase.

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- 75A Duty of local authority landlord to provide information about right to buy.
- 76 Duty of landlords to provide information to secure tenants.

#### *Powers of Secretary of State*

- 77 Secretary of State may make provision for vesting in landlord to bring into being tenant's right to purchase house.
- 78 Secretary of State may give directions to modify conditions of sale.
- 79 Secretary of State may give financial and other assistance for tenants involved in proceedings.
- 80 Secretary of State may make contributions towards the cost of transfers and exchanges.
- 81 Information from landlords in relation to Secretary of State's powers.

#### *Preservation of right to buy on disposal to private sector landlord*

- 81A Preservation of right to buy on disposal to private sector landlord.

#### *Consultation before disposal to private sector landlord*

- 81B Consultation before disposal to private sector landlord.

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- 83 Members of a person's family.
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- 86 Definition of house meeting tolerable standard.
- 87 Official representation that house does not meet tolerable standard.

#### *Improvement order*

- 88 Improvement of houses below tolerable standard outside housing action areas.

#### *Housing action areas*

- 89 Declaration of housing action areas for demolition.
- 90 Declaration of housing action areas for improvement.
- 91 Declaration of housing action areas for demolition and improvement.
- 92 Provisions supplementary to sections 89 to 91.
- 93 Consent to demolition of listed buildings, rehabilitation orders and compensation.

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96 Power of local authority to retain houses subject to demolition for temporary occupation.  
97 Local authority may control occupation of houses in housing action area.  
98 Obligation of local authorities in relation to rehousing in housing action areas.

### *Landlords and tenants in housing action areas*

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100 Application to sheriff for possession where house is identified in accordance with paragraph 1(1) of Schedule 8 as read with section 92(4) (c).  
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102 Procedure; and application of s.103(1) of Rent (Scotland) Act 1984.  
103 Certain provisions of Rent (Scotland) Act 1984 not to apply.  
104 Effect of refusal to make order on validity of resolution.

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106 Power of local authority to arrange for the execution of works of improvement by agreement with the owner.  
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- 108 Power of local authority to secure repair of house in state of serious disrepair.  
109 Recovery by local authority of expenses under s.108.  
110 Recovery by lessee of proportion of expenses incurred in repairing house.

#### *Appeals etc.*

- 111 Appeals under Part V.  
112 Date of operation of notices, demands and orders subject to appeal.

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120 Powers of local authority in relation to building consisting wholly of closed houses.  
121 Local authority may acquire and repair house or building liable to closing or demolition order.

#### *Offences*

- 122 Penalty for use of premises in contravention of closing order or of undertaking.

#### *Powers of local authority following demolition order*

- 123 Procedure where demolition order made.  
124 Power of local authority to purchase site of demolished building where expenses of demolition cannot be recovered.

#### *Demolition of obstructive buildings*

- 125 Local authority may by resolution require demolition of obstructive building.  
126 Effect of resolution for demolition of obstructive building.

#### *Possession*

- 127 Recovery of possession of building or house subject to closing order, etc.  
128 Recovery of possession of house to which Rent Act applies.

#### *Appeals and date of operation of certain notices, etc.*

- 129 Appeals.  
130 Date of operation of notices, orders or resolutions subject to appeal.

#### *Charging orders*

- 131 Power of local authority to make charging order in favour of themselves.

#### *Supplementary*

- 132 Protection of superiors and owners.  
133 Interpretation.

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141 Exception: temporary visitor.  
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145 Recovery of possession of overcrowded house that is let.

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157 Power of local authority to apply management code to particular house.  
158 Appeal against making of, or failure to revoke, order under s.157.



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159 Registration of order and of revocation.

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160 Notice requiring compliance with management code.

161 Notice requiring compliance with standards.

162 Notice requiring provision of means of escape from fire.

163 Appeal against notice requiring execution of works.

164 Carrying out of works by local authority.

165 Penalty for failure to execute works.

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167 Notice of direction.

168 Power to require information where notice is in force.

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170 Appeal against refusal.

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172 Management code to be available for dwellings in certain tenements.

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174 Application to sheriff where consent unreasonably withheld.

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176 Identity and notice under Part VIII.

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179 General effect of control order.

180 Effect of control order on persons occupying house.

181 Effect of control order in relation to furniture in furnished lettings.

182 General duties of local authority when control order in force.

183 Compensation payable to dispossessed proprietor.

184 Duty to prepare management scheme.

185 Power of sheriff to modify or determine lease.

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187 Control order revoked on appeal.

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188 Expiration of control order, and earlier revocation by local authority or sheriff.

189 Effect of cessation of control order.

190 Interpretation of Part VIII.

**PART IX**

**GOVERNMENT GRANTS AND SUBSIDIES**

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- 192 Apportionment of housing support grants.
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- 194 Grants payable to the Scottish Special Housing Association and development corporations.
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- 199 Termination of certain exchequer payments to housing authorities.
- 200 .....

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- 201 Payment of subsidies and accounting provisions.

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- 204 Power of Secretary of State to limit estimated rate fund contributions to housing revenue account.
- 205 The rent rebate account.
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- 207 The slum clearance revenue account.
- 208 Application of receipts from disposal of certain land.
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- 211 Service charges.
- 212 Rent increase notice.
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215 Requirements as to meeting tolerable standard.

*House loans: special cases*

- 216 House loans to tenants exercising right to purchase.  
217 Duty of local authorities to offer loans to meet expenses of improvement of houses in housing action areas.  
218 Duty of local authority to offer loans to meet expenses of repairs.

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- 219 Local authority home loan interest rates.  
220 Variation of rate by local authority.  
221 Variation of rate by Secretary of State.

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223 Forms of assistance and qualifying conditions.  
224 Recognised lending institutions.  
225 Recognised savings institutions.  
226 Terms of advances and administration.  
227 Modifications of building society law and disapplication of provisions of the Restrictive Trade Practices Act 1976 in relation to assistance for first-time buyers.  
228 Exclusion of Restrictive Trade Practices Act: agreements as to loans on security of new houses.

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- 229 Local authority indemnities for building societies, etc.  
230 Assistance by local authority for acquiring houses in need of repair and improvement.  
231 Loans by Public Works Loan Commissioners for provision or improvement of housing accommodation.  
233 Power of local authority to assist in provision of separate service water pipes for houses.  
234 Financial assistance towards tenants' removal expenses.

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- 235 Contributions by other local authorities towards expense of housing pensioners and disabled persons.

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- 236 Power of local authorities to make improvement grants.  
236A Power to make improvement grants: further provision  
237 Form of application.  
237A Offences in relation to applications for improvement grant  
238 Powers of local authority.  
239 Consent of Secretary of State.

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- 239A Power of Secretary of State to give directions to prevent duplications of grant.
- 240 Conditions for approval of applications for improvement grant other than applications relating exclusively to the provision of standard amenities.
- 240A Assessment of applicant's contribution
- 240B Applicant's contribution: review
- 241 Approval of application for improvement grant.
- 242 Amount of improvement grant.
- 243 Payment of improvement grant.
- 244 Duty of local authorities to make improvement grants where an application relates exclusively to the provision of standard amenities or to disabled occupant; and amount thereof.
- 245 Grants restricted to applicant and his personal representatives.
- 246 Conditions to be observed with respect to houses in respect of which an improvement grant has been made, and registration thereof.
- 247 Voluntary repayment of improvement grants.

*Repairs grants.*

- 248 Repairs grants.

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- 249 Grants for fire escapes for houses in multiple occupation.

*Grants for houses in housing action areas*

- 250 Application of this Part to houses situated in a housing action area and power of local authority to give repairs grants in such areas and amount thereof.

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- 250A Encouragement of works to improve energy efficiency and safety

*Improvement of amenity grants*

- 251 Powers of local authority for improvement of amenities.

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- 252 Schemes for grants for thermal insulation.
- 253 Finance and administration of schemes under s.252.
- 254, 255 .....

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- 256 Application of this Part to agricultural tenants, etc.
- 256A Application of this Part to the Scottish Ministers

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- 257 Designation of defective dwellings by Secretary of State.

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- 258 Variation or revocation of designation.
- 259 Conditions of eligibility.
- 260 Exceptions to eligibility.
- 261 Construction of references to disposal, etc.

#### *Determination of entitlement*

- 262 Application for assistance.
- 263 Application not to be entertained where grant application pending or approved.
- 264 Determination of eligibility.
- 265 Determination of form of assistance to which applicant is entitled.
- 266 Conditions for assistance by way of reinstatement grant.
- 267 Meaning of “work required for reinstatement” and “associated arrangement”.
- 268 Notice of determination.

#### *Assistance by way of reinstatement grant*

- 269 Reinstatement grant.
- 270 Conditions of payment of reinstatement grant.
- 271 Amount of reinstatement grant.
- 272 Changes in work or expenditure.
- 273 Payment of reinstatement grant.
- 274 Repayment of grant for breach of condition.

#### *Assistance by way of repurchase*

- 275 Repurchase.
- 276 Repurchase by authority other than local authority.
- 277 Interest subject to right of pre-emption, etc.
- 278 Compulsory purchase compensation to be made up to 95 per cent. of defect-free value.
- 279 Supplementary provisions as to payments under s.277 or 278.
- 280 Reimbursement of expenses incidental to repurchase.

#### *Effect of repurchase on occupier*

- 281 Effect of repurchase on certain existing tenancies.
- 282 Grant of tenancy to former owner-occupier.
- 283 Grant of tenancy to former statutory tenant.
- 284 Alternative accommodation under s.282 or 283.
- 285 Request for tenancy under s.282 or 283.
- 286 Interpretation of ss.281 to 285.

#### *Local schemes*

- 287 Designation of defective dwellings under local schemes.
- 288 Variation or revocation of designation under local schemes.
- 289 Secretary of State’s control over designation, variation or revocation.

#### *Miscellaneous*

- 290 Duty of local housing authority to publicise availability of assistance.
- 291 Duties of public sector authority disposing of defective dwelling.
- 292 Reinstatement of defective dwelling by local authority.

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- 293 Death of person eligible for assistance, etc.
- 294 Dwellings included in more than one designation.
- 295 Application of Act in relation to lenders on security of defective dwelling.
- 296, 297 .....

#### *Supplementary provisions*

- 298 Service of notices.
- 299 Jurisdiction of sheriff in Scotland.
- 300 Meaning of “public sector authority”.
- 301 Disposal of certain Crown interests in land treated as disposal by public sector authority.
- 302 Meaning of “dwelling” and “house”.
- 303 Interpretation.

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- 304 Payments in respect of well-maintained houses subject to closing orders etc.
- 305 Payments in respect of well-maintained houses subject to compulsory purchase as not meeting the tolerable standard.
- 306 Calculation of amount payable for well- maintained houses.

##### *Repayment of certain payments*

- 307 Repayment of payments made in connection with closing or demolition order when revoked.

##### *Payments for houses not meeting tolerable standard*

- 308 Right to and amount of payments for house not meeting tolerable standard.
- 309 Right of parties to certain agreements secured on, or related to, houses not meeting the tolerable standard to apply to sheriff for adjustment of the agreements.
- 310 Provisions as to house subject to heritable security or purchased by instalments.
- 311 Interpretation of sections 308 to 310.

##### *Payments to other local authorities*

- 312 Payment of purchase money or compensation by one local authority to another.

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#### GENERAL AND MISCELLANEOUS

##### *Byelaws*

- 313 Byelaws with respect to houses in multiple occupation.
- 314 Byelaws with respect to accommodation for agricultural workers.
- 315 Byelaws with respect to accommodation for seasonal workers.

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316 Confirmation of byelaws.

*Entry*

317 Power of entry for survey, etc.

*Offences*

318 Penalty for obstructing execution of Act.

319 Penalty for preventing execution of works, etc.

320 Penalty for damage to houses, etc.

321 Liability of directors, etc. in case of offence by body corporate.

*Powers of sheriff for housing purposes*

322 Sheriff may determine lease in certain cases.

323 Sheriff may authorise superior to execute works, etc.

324 Procedure on applications and appeals to sheriff.

*Service*

325 Occupier or tenant may be required to state interest.

326 Service by description on certain persons whose identity is unknown and on a number of persons of one description.

*Landlord's identity*

327 Disclosure of landlord's identity.

328 Duty to inform tenant of assignation of landlord's interest.

*Powers of Secretary of State*

329 Power of Secretary of State in event of failure of local authority to exercise powers.

330 Power of Secretary of State to prescribe forms, etc.

331 Regulations: procedure.

332 Secretary of State's power to dispense with advertisements and notices.

333 Local inquiries.

*Miscellaneous*

334 Power of heir of entail to sell land for housing purposes.

335 Crown rights.

336 Limitation on liability of trustee etc. for expenses incurred by local authority.

337 .....

338 Interpretation.

339 Minor and consequential amendments, transitional provisions and repeals.

340 Citation, commencement and extent.

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## SCHEDULES

### SCHEDULE 1 — RULES AS TO ASSESSMENT OF COMPENSATION WHERE LAND PURCHASED COMPULSORILY IN CERTAIN CIRCUMSTANCES

- 1 —If the Lands Tribunal are satisfied that the rent of...
- 2 —If the Lands Tribunal are satisfied that the rent of...
- 3.— The local authority may tender evidence as to the matters...
- 4 —The Lands Tribunal shall (except as provided in section 15(1))...
- 5 —The Lands Tribunal shall embody in their award a statement...

### SCHEDULE 2 — TENANCIES WHICH ARE NOT SECURE TENANCIES

#### *Premises occupied under contract of employment*

- 1 (1) A tenancy shall not be a secure tenancy if...

#### *Temporary letting to person seeking accommodation*

- 2 —A tenancy shall not be a secure tenancy if the...

#### *Temporary letting pending development*

- 3 —A tenancy shall not be a secure tenancy if the...

#### *Temporary accommodation during works*

- 4 —A tenancy shall not be a secure tenancy if the...

#### *Accommodation for homeless persons*

- 5 —A tenancy shall not be a secure tenancy if the...

#### *Accommodation for asylum-seekers*

- 5A (1) A tenancy shall not be a secure tenancy if...

#### *Agricultural and business premises*

- 6 —A tenancy shall not be a secure tenancy if the...

#### *Police and fire authorities*

- 7 —A tenancy shall not be a secure tenancy if the...

#### *Houses part of, or within curtilage of, certain other buildings*

- 8 —A tenancy shall not be a secure tenancy if the...

### SCHEDULE 3 — GROUNDS FOR RECOVERY OF POSSESSION OF HOUSES LET UNDER SECURE TENANCIES

#### PART I — GROUNDS ON WHICH COURT MAY ORDER RECOVERY OF POSSESSION

- 1 —Rent lawfully due from the tenant has not been paid,...
- 2 (1) The tenant, a person residing or lodging in the...
- 3 —The condition of the house or of any of the...



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- 4 —The condition of any furniture provided for use under the...
  - 5 —The tenant and his spouse have been absent from the...
  - 6 —The tenant is the person, or one of the persons,...
  - 7 (1) The tenant, a person residing or lodging in the...
  - 8 —The tenant of the house (or any one of joint...
  - 9 —The house is overcrowded, within the meaning of section 135,...
  - 10 —It is intended within a reasonable period of time to...
  - 11 —The house has been designed or adapted for occupation by...
  - 12 —The house forms part of a group of houses which...
  - 13 —The landlord is a housing association which has as its...
  - 14 —The interest of the landlord in the house is that...
  - 15 (a) The landlord is the council (constituted under section 2...
  - 16 —The landlord wishes to transfer the secure tenancy of the...
- PART II — SUITABILITY OF ACCOMMODATION
- 1 —For the purposes of sections 48(3) and 51(3), accommodation is...
  - 2 —In determining whether accommodation is reasonably suitable to the needs...
  - 3 —If the landlord has made an offer in writing to...

#### SCHEDULE 4 — TERMS OF SECURE TENANCY RELATING TO SUBLETTING, ETC.

- 1 —A secure tenant who wishes to assign, sublet or otherwise...
- 2 —In relation to an application under paragraph 1, the landlord...
- 3 (a) The landlord shall serve on the tenant notice in...
- 4 —A tenant who is aggrieved by a refusal (other than...
- 5 —In proceedings under paragraph 4, the sheriff shall order the...
- 6 —In deciding whether a refusal is reasonable the sheriff shall...

#### SCHEDULE 5 — TERMS OF SECURE TENANCY RELATING TO ALTERATIONS, ETC TO HOUSE

- 1 —A secure tenant who wishes to carry out work shall...
- 2 —In relation to an application under paragraph 1, the landlord...
- 3 —The landlord shall intimate consent or refusal, and any conditions...
- 4 —In the event that the landlord fails to make intimation...
- 5 —A tenant who is aggrieved by a refusal, or by...
- 6 —In proceedings under paragraph 5, the sheriff shall order the...
- 7 —In deciding whether a refusal or a condition is reasonable...

#### SCHEDULE 6 — VESTING ORDER UNDER SECTION 77: MODIFICATION OF ENACTMENTS

##### *The Town and Country Planning (Scotland) Act 1997 (c. 8)*

- 1 —Paragraphs 1(2), 6 to 13 and 16 to 39 of...
- 2 —The references in paragraphs 6, 7 and 37 of that...
- 3 —In paragraph 6 of that Schedule— (a) the reference to...
- 4 —The reference in paragraph 20(2) of that Schedule to the...
- 5 —In paragraph 29 of that Schedule— (a) sub-paragraph (1)(a) shall...

##### *The Land Compensation (Scotland) Act 1963 (c.51)*

- 6 —Any reference to the date of service of a notice...
- 7 —Section 25(2) shall be treated as if for the words...
- 8 —In section 30— (a) subsection (2) shall be treated as...

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- 9 —Any reference to a notice to treat in section 45(2)...
- 10 —In Schedule 2, paragraph 2(1)(a) shall be treated as if...

#### SCHEDULE 6A —

##### *Disposals to which this Schedule applies*

- 1 (1) This Schedule applies to the disposal by a local...

##### *Application for Secretary of State's consent*

- 2 (1) The Secretary of State shall not entertain an application...

##### *Requirements as to consultation*

- 3 (1) The requirements as to consultation referred to above are...

##### *Power to require further consultation*

- 4 The Secretary of State may require the local authority to...

##### *Consent to be withheld if majority of tenants are opposed*

- 5 (1) The Secretary of State shall not give his consent...

##### *Protection of purchasers*

- 6 The Secretary of State's consent to a disposal is not...

#### SCHEDULE 7 —

##### PART I — CONSENT TO DEMOLITION OF LISTED BUILDINGS IN HOUSING ACTION AREAS, ETC.

##### *Buildings subject to compulsory purchase orders for demolition subsequently listed*

- 1 (1) In this paragraph, references to a compulsory purchase order...

##### *Buildings acquired by agreement for demolition subsequently listed*

- 2 (1) Where Part IV applies to a building purchased by...

##### PART II — REHABILITATION ORDERS

##### *Application and effect of rehabilitation orders*

- 3 (1) This Part of this Schedule applies to any house...

##### *Miscellaneous provisions relative to rehabilitation orders*

- 4 —Where the owner of a house to which this Part...
- 5 —Where a local authority have made a rehabilitation order they...
- 6 (1) Where— (a) land included in a compulsory purchase order,...
- 7 —A rehabilitation order may be made and confirmed notwithstanding that...

##### *Procedure for making and confirming rehabilitation orders*

- 8 —A rehabilitation order shall be made in the prescribed form...
- 9 (1) Before submitting a rehabilitation order to the Secretary of...

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- 10 (1) If no objection is duly made by any of...  
11 Paragraphs 6, 15 and 16 of Schedule 1 to the...

*Interpretation of this Part of this Schedule*

- 12 —In this Part of this Schedule, unless the context otherwise...  
PART III — APPLICATION OF ENACTMENTS RELATING TO  
COMPENSATION ON COMPULSORY PURCHASE, ETC., TO  
CASES UNDER PART I OR PART II OF THIS SCHEDULE

*Compensation*

- 13 (1) Where, under Part I or II of this Schedule,...

*Extension of time limits for exercising powers under certain compulsory purchase orders*

- 14 —In section 116 of the Lands Clauses Consolidation (Scotland) Act...

SCHEDULE 8 —  
PART I — HOUSING ACTION AREAS

*Procedure after publication of draft resolution*

- 1 (1) The local authority shall have regard to any representations...  
2 —Any notice authorised or required to be sent to any...  
PART II — POWERS OF LOCAL AUTHORITY IN RELATION TO  
ACQUISITION OF LAND FOR HOUSING ACTION AREAS  
3 (1) Subject to the provisions of sub-paragraph (2), where a...

*Land adjoining housing action area*

- 4 —Where a local authority determine to acquire any land comprised...

*Further provisions relating to acquisition of land*

- 5 (1) In so far as a resolution passed under section...

*Land belonging to local authority*

- 6 (1) A local authority may include in a housing action...

*Local authority may take possession of land*

- 7 —Section 11 (which provides that a local authority may take...

*Local authority may sell or lease land*

- 8 —A local authority who have under Part IV or this...

*Extinction of rights of way servitudes, etc.*

- 9 (1) A local authority may, with the approval of the...

*Provisions as to apparatus of public undertakers*

- 10 (1) Where the removal or alteration of apparatus belonging to...

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*Saving for telecommunication apparatus, etc.*

- 11 (1) Paragraph 23 of the telecommunications code (which provides a...  
PART III — COMPENSATION IN RESPECT OF LAND ACQUIRED  
COMPULSORILY
- 12 (1) Where land is purchased compulsorily by a local authority...  
PART IV — ADJUSTMENT OF RELATIONS BETWEEN LESSORS AND  
LESSEES OF AGRICULTURAL HOLDINGS, ETC.
- 13 (1) Section 15 of the Agricultural Holdings (Scotland) Act 1991...

SCHEDULE 9 — RECOVERY OF EXPENSES BY CHARGING ORDER

- 1 —Where under sections 108(3), 131(2) and 164(4) a local authority...  
2 —The annuity charged shall be such sum not exceeding such...  
3 —A charging order shall be in such form as may...  
4 —Every annuity constituting a charge by a charging order duly...  
5 —A charging order duly recorded in the General Register of...  
6 —Every annuity charged by a charging order may be recovered...  
7 —A charging order and all sums payable thereunder may be...  
8 —Any owner of, or other person interested in, premises on...

SCHEDULE 10 — LANDLORD'S REPAIRING OBLIGATIONS

*Obligations to repair*

- 1 (1) This paragraph applies to any contract (whether entered into...

*Application of paragraph 1 to houses occupied  
by agricultural workers otherwise than as tenants*

- 2 —Notwithstanding any agreement to the contrary, where under any  
contract...

*Repairing obligations in short leases of houses*

- 3 (1) In any lease of a house, being a lease...

*Application of paragraph 3*

- 4 (1) Subject to the provisions of this paragraph, paragraph 3...

*Restriction on contracting out*

- 5 (1) The sheriff may, on the application of either party...

SCHEDULE 11 — HOUSES IN MULTIPLE OCCUPATION: CONTROL ORDERS  
PART I — MANAGEMENT SCHEMES

- 1 (1) A management scheme shall give particulars of all works...

*Recovery by local authority of capital expenditure*

- 2 (1) Account shall be kept by the local authority for...

PART II — APPEAL AND REVIEW

- 3 (1) Within 6 weeks from the date on which a...  
4 (1) Without prejudice to the right of appeal against a...  
5 (1) If a local authority refuse an application to revoke...  
6 (1) A sheriff who revokes a control order on appeal...

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*Powers of court to restrict recovery of possession*

- 7 (1) The provisions of this paragraph apply where—  
PART III — CONSEQUENCES OF CESSATION OF CONTROL ORDER

*Transfer of landlord's interest in tenancies and agreements*

- 8 (1) On and after the date on which the control...

*Cases where leases have been modified while control order was in force*

- 9 —If under section 185 the sheriff modifies or determines a...

*Interpretation*

- 10 —References in this Part of this Schedule to the control...  
PART IV — RECOVERY OF EXPENSES BY LOCAL AUTHORITY  
EXECUTING WORKS UNDER SECTION 164  
11 (1) Sections 108(6) (exercise of power of local authority to...

SCHEDULE 12 — TERMINATION OF EXCHEQUER PAYMENTS TO LOCAL  
AUTHORITIES AND CERTAIN PERIODICAL PAYMENTS  
TO OTHER PERSONS

- 1 (1) No payment shall be made— (a) for the year...  
2 Table  
Part I — PAYMENTS TO LOCAL AUTHORITIES  
Part II — PAYMENTS TO THE SCOTTISH SPECIAL HOUSING ASSOCIATION  
AND DEVELOPMENT CORPORATIONS  
Part III — . . .

SCHEDULE 13 — ENACTMENTS SPECIFYING EXCHEQUER  
CONTRIBUTIONS

SCHEDULE 14 — ENACTMENTS SPECIFYING EXCHEQUER  
CONTRIBUTIONS THAT MAY BE REDUCED, SUSPENDED  
OR DISCONTINUED

SCHEDULE 15 — THE HOUSING REVENUE ACCOUNT  
PART I — APPLICATION OF ACCOUNT

- 1 (1) The houses, buildings and land specified for the purposes...  
PART II — OPERATION OF ACCOUNT

*Credits*

- 2 (1) For each year a local authority shall carry to...

*Debits*

- 3 —Subject to paragraph 4 of this Schedule, for each year...  
4 —A local authority shall not debit to the housing revenue...

*Provision of welfare services*

- 4A Where in any year a local authority provide welfare services...

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### *Supplemental*

- 5 —Any requirement of this Schedule as respects any amount to...
- 6 —A local authority may, with the consent of the Secretary...
- 7 —Where it appears to the Secretary of State that amounts...
- 8 —The Secretary of State may direct that items of income...
- 9 (1) If at any time a credit balance is shown...
- 10 —References in this Schedule to houses and other property to...

## SCHEDULE 16 — THE SLUM CLEARANCE REVENUE ACCOUNT

### *Credits*

- 1 —For each year a local authority shall carry to the...
- 2 —Where for any year a deficit is shown in the...

### *Debits*

- 3 —For each year a local authority shall debit to the...

### *Supplemental*

- 4 —Any surplus shown in a slum clearance revenue account at...
- 5 —A local authority may, with the consent of the Secretary...
- 6 —The Secretary of State may direct that items of income...

## SCHEDULE 17 — CONDITIONS RELATING TO HOUSE LOANS

- 1 —The provisions of this Schedule shall have effect with respect...
- 2 —The advance, together with interest thereon, shall be secured by...
- 3 —The amount of the principal of the advance shall not...
- 4 —The heritable security shall provide for repayment of the principal  
—...
- 5 —It shall also provide for the payment of instalments of...
- 6 —In the event of any of the conditions subject to...
- 7 —That balance may in any event be repaid at any...
- 8 —Where the advance is for any of the purposes specified...
- 9 —The advance shall not be made except after a valuation...
- 10 —No advance shall be made unless the estate or interest...
- 11 —In this Schedule, any reference, in relation to an advance,...

## SCHEDULE 18 — STANDARD AMENITIES

### PART I — LIST OF AMENITIES AND MAXIMUM ELIGIBLE AMOUNTS

### PART II — LIMIT ON AMOUNT OF APPROVED EXPENSES FOR STANDARD AMENITIES

- 1 —Subject to paragraph 3, the total amount of approved expense...
- 2 —Subject to paragraph 4, for each of the standard amenities...
- 3 —Subject to the provisions of section 242, the maximum eligible...
- 4 —An amount shall not be allowed for more than one...

## SCHEDULE 19 — CONSEQUENCES OF BREACH OF CONDITIONS OF IMPROVEMENT GRANT

- 1 —Subject to paragraphs 4 and 5, the local authority shall...
- 2 —If the local authority are satisfied that the breach of...
- 3 —If the local authority are satisfied that the breach although...

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- 4 —Upon the satisfaction of a liability of an owner of...
- 5 —On the application of the local authority, the sheriff within...
- 6 (1) In any case where in pursuance of paragraph 4,...
- 7 —In the event of a breach of any of the...
- 8 —In this Schedule, “interest” means compound interest calculated at such...

## SCHEDULE 20 — ASSISTANCE BY WAY OF REPURCHASE PART I — THE AGREEMENT TO REPURCHASE

### *The interest to be acquired*

- 1 In this Schedule, “the interest to be acquired” means the...

### *Request for notice of proposed terms of acquisition*

- 2 —A person who is entitled to assistance by way of...

### *Authority’s notice of proposed terms*

- 3 —The purchasing authority shall, within the period of three months...

### *Unreasonable terms*

- 4 —Where an offer to purchase is served on the person...

### *Appeal*

- 5 —A person so entitled who is aggrieved by the refusal...

### *Notice of acceptance*

- 6 —The person so entitled may at any time within the...

### *Extensions*

- 7 —The authority shall, if there are reasonable grounds for doing...

### *Interest acquired to be treated as if acquired under Part I*

- 8 —An interest acquired by a local authority under this Part...

## PART II — PRICE PAYABLE AND VALUATION

### *The price*

- 9 (1) The price payable for the acquisition of an interest...

### *The value*

- 10 (1) For the purposes of this Schedule, the value of...

### *Determination of value*

- 11 (1) Any question arising under this Schedule as to the...

### *Certain grant conditions cease to have effect*

- 12 —Where the interest to be acquired is or includes a...

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## SCHEDULE 21 — DWELLINGS INCLUDED IN MORE THAN ONE DESIGNATION

### *Introductory*

1 —This Schedule applies in relation to a defective dwelling where...

### *Cases in which later designation to be disregarded*

2 —Where a person is already eligible for assistance in respect...

### *In other cases any applicable designation may be relied on*

3 —Where a person is eligible for assistance in respect of...

### *Procedure to be followed where later designation comes into operation*

4 —The following provisions of this Schedule apply where—

5 (1) The local authority shall, as soon as reasonably practicable,...

6 (1) This paragraph applies where it appears to the authority...

7 (1) This paragraph applies where a person entitled to assistance...

## SCHEDULE 22 — TRANSITIONAL PROVISIONS AND SAVINGS PART I — TRANSITIONAL PROVISIONS

### *General*

1 —The re-enactment of provisions in, and the consequent repeal of...

2 —In so far as— (a) any requirement, prohibition, determination, order...

3 —Where any enactment passed before this Act, or any instrument...

4 —Where any period of time specified in any enactment repealed...

5 (1) The general rule is that the provisions of this...

### *Persons holding office*

6 —Any person who at the commencement of this Act is...

### *Security of tenure of tenants of regional councils, etc.*

7 —Notwithstanding the repeal by this Act of section 16(2) and...

## PART II — SAVINGS

### *General saving for old transitional provisions*

8 —The repeal by this Act of a provision relating to...

### *General saving for old savings*

9 (1) The repeal by this Act of an enactment previously...

### *Transfers under section 14 of the Housing (Homeless Persons) Act 1977*

10 (1) The repeal by this Act of section 14 of...

### *Use of existing forms, etc.*

11 —Any document made, served or issued on or after this...



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*Secure tenant: reimbursement of cost of work done before 3rd October 1980*

12 —The repeal of section 24(1) of the Tenants’ Rights, Etc...

*Contributions under sections 106 and 121 of the Housing (Scotland) Act 1950 (c.34) and section 14 of the Housing (Scotland) Act 1962 (c.28)*

13 —Contributions remain payable by the Secretary of State under sections...

## SCHEDULE 23 — MINOR AND CONSEQUENTIAL AMENDMENTS

### *General*

1 —Any reference in any previous enactment to “standard amenities” as...

2 —Any reference in any previous enactment to “tolerable standard” as...

*The Crofters Holdings (Scotland) Act 1886 (c. 29)*

3 —In the Schedule, in paragraph 1A, for the words “Part...

*The Sheriff Courts (Scotland) Act 1907 (c. 51)*

4 —In the Sheriff Courts (Scotland) Act 1907, after section 38...

*The Crofters (Scotland) Act 1955 (c. 21)*

5 —In Schedule 5, in paragraph 1A, for the words “Part...

*The Clean Air Act 1956 (c. 52)*

6 .....

*The Coal Mining (Subsidence) Act 1957 (c. 59)*

7 (1) In section 1(4) (duty of Board in respect of...

*The Building (Scotland) Act 1959 (c. 24)*

8 —In the Sixth Schedule, in paragraph 4(b)(ii), for the words...

*The Pipe-lines Act 1962 (c. 58)*

9 —In section 30(2), for the words “181”, “1966” and “Part...

*The Land Compensation (Scotland) Act 1963 (c. 51)*

10 (1) In section 15(7), for paragraph (d) substitute the following...

*The Local Government (Scotland) Act 1966 (c.51)*

11 —In section 46(1) (general interpretation), in the definition of “housing...

*The National Loans Act 1968 (c.13)*

12 —In Schedule 4, for the words “78” and “1950” substitute...

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*The New Towns (Scotland) Act 1968 (c.16)*

13 (1) In section 6, subsection (6) shall cease to have...

*The Clean Air Act 1968 (c.62)*

14 .....

*The Post Office Act 1969 (c.48)*

15 —In Schedule 4— (a) in paragraph 83(1), for “II of...

*The Local Authority Social Services Act 1970 (c.42)*

16 —In Schedule 1, at the end insert in column 1...

*The Chronically Sick and Disabled Persons Act 1970 (c.44)*

17 —In section 3(2), for the words “VII”, “1966” and “137”...

*The Town and Country Planning (Scotland) Act 1972 (c.52)*

18 .....

*The Land Compensation (Scotland) Act 1973 (c.56)*

19 (1) In section 27(1)(f), for the words “15(2) of the...

*The Local Government (Scotland) Act 1973 (c.65)*

20 (1) In section 130— (a) in subsection (1), for the...

*Consumer Credit Act 1974 (c.37)*

21 —In section 16(1)(ff), for the words “2 of the 1978...

*Land Tenure Reform (Scotland) Act 1974 (c.38)*

22 —In section 8(7), for the words “Tenants’ Rights, Etc (Scotland)...

*Local Government (Scotland) Act 1975 (c.30)*

23 .....

*The National Health Service (Scotland) Act 1978 (c.29)*

24 —In section 100(1)— (a) in paragraph (a), for the words...

*The Local Government, Planning and Land Act 1980 (c.65)*

25 (1) In section 152(1)(c), for the words “1 of the...

*The Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)*

26 —In section 13(11), for the words “the Tenants’ Rights, Etc...

*The Local Government and Planning (Scotland) Act 1982 (c.43)*

27 —In section 24(2), for the words “32(1)(b) of the Housing...

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*The Civic Government (Scotland) Act 1982 (c.45)*

28 (1) In section 87(5), for the words “Part II of...

*The Rent (Scotland) Act 1984 (c.58)*

29 (1) In section 5(5), for the words “5 of the...

*The Housing Act 1985 (c.68)*

30 (1) In section 76— (a) in subsection (1)(a), for the...

*The Housing Associations Act 1985 (c.69)*

31 (1) In section 8(1), for the words “Part I of...

*Airports Act 1986 (c.31)*

32 —In Schedule 2, paragraph 4, for the words “56” and...

SCHEDULE 24 — REPEALS

- 1 The following abbreviations are used in this Table: Acts of...
- 2 The Table does not show the effect of Transfer of...
- 3 The letter R followed by a number indicates that the...
- 4 The entry “drafting” indicates a provision of a mechanical or...

**Status:**

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