



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART III

#### RIGHTS OF PUBLIC SECTOR TENANTS

##### *General*

### **83 Members of a person's family.**

- (1) A person is a member of another's family for the purposes of this Act if—
- (a) he is the spouse of that person or he and that person live together as husband and wife [<sup>F1</sup>or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex]; or
  - (b) he is that person's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- (2) For the purposes of subsection (1)(b)—
- (a) a relationship by marriage shall be treated as a relationship by blood;
  - (b) a relationship of the half-blood shall be treated as a relationship of the whole blood;
  - (c) the stepchild of a person shall be treated as his child; and
  - [<sup>F2</sup>(ca) a person brought up or treated by another person as if the person were the child of the other person shall be treated as that person's child;]
  - (d) a child shall be treated as such whether or not his parents are married.
- [<sup>F3</sup>(3) Except in subsection (1)(a), references in this Act to a person's spouse include references to another person living together with that person as husband and wife or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex.]

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*Status: Point in time view as at 01/04/2002. This version of this provision has been superseded.*

*Changes to legislation: Housing (Scotland) Act 1987, Section 83 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### Textual Amendments

- F1** Words in s. 83(1)(a) inserted (1.10.2001) by 2001 asp 10, s. 108(3)(a); S.S.I. 2001/336, art. 2(2), **Sch. Pt. I** (with transitional provisions and savings in art. 3) (as amended by S.S.I. 2001/397, art. 7(b))
- F2** S. 83(2)(ca) inserted (1.10.2001) by 2001 asp 10, s. 108(3)(b); S.S.I. 2001/336, art. 2(2), **Sch. Pt. I** (with transitional provisions and savings in art. 3) (as amended by S.S.I. 2001/397, art. 7(b))
- F3** S. 83(3) inserted (1.10.2001) by 2001 asp 10, s. 108(3)(c); S.S.I. 2001/336, art. 2(2), **Sch. Pt. I** (with transitional provisions and savings in art. 3) (as amended by S.S.I. 2001/397, art. 7(b))

#### Modifications etc. (not altering text)

- C1** S. 83 applied by Housing (Scotland) Act 1988 (c. 43, SIF 61), ss. 37(4), 52
- C2** S. 83 modified (13.3.1992) by S.I. 1992/325, regs. 3, 5, 7, **Sch. 1**

**Status:**

Point in time view as at 01/04/2002. This version of this provision has been superseded.

**Changes to legislation:**

Housing (Scotland) Act 1987, Section 83 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.