



Housing Act 1988

1988 CHAPTER 50

PART V

MISCELLANEOUS AND GENERAL

Disposals of housing stock

[^{F1}134] **Consent required for certain subsequent disposals: Scotland.**

In Part I of the ^{M1}Housing (Scotland) Act 1987 (provision of housing) after section 12 there shall be inserted the following section—

“ Consent of Secretary of State required for certain subsequent disposals.

- (1) Where a person acquires any land or house from a local authority under section 12(1)(c) or (d) above and the consent of the Secretary of State is required under section 12(7) above to the local authority’s disposal of the land or house to that person, that person shall not dispose of the land or house without the consent in writing of the Secretary of State.
- (2) Any consent for the purposes of subsection (1) above may be given either in respect of a particular disposal or in respect of disposals of any class or description (including disposals in particular areas) and either unconditionally or subject to conditions.
- (3) Before giving any consent for the purposes of subsection (1) above, the Secretary of State—
 - (a) shall satisfy himself that the person who is seeking the consent has taken appropriate steps to consult every tenant of any land or house proposed to be disposed of; and
 - (b) shall have regard to the responses of any such tenants to that consultation.

Changes to legislation: *Housing Act 1988, Section 134 is up to date with all changes known to be in force on or before 28 June 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) View outstanding changes*

- (4) The consent of Scottish Homes under section 9 of the Housing Associations Act 1985 (control of dispositions) is not required for any disposal, or disposals of any class or description, in respect of which consent is given under subsection (1) above.
- (5) In this section references to disposing of property include references to—
- (a) granting or disposing of any interest in property;
 - (b) entering into a contract to dispose of property or to grant or dispose of any such interest; and
 - (c) granting an option to acquire property or any such interest.”]

Textual Amendments

F1 S. 134 repealed (30.9.2002) by 2001 asp 10, ss. 112, 113(1), Sch. 10 para. 15(7); S.S.I. 2002/321, art. 2, Sch. (with transitional provisions in arts. 3-5)

Marginal Citations

M1 1987 c. 26.

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)