



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART III **S**

RIGHTS OF PUBLIC SECTOR TENANTS

Security of tenure

F144 **S**

Textual Amendments

F1 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (with transitional provisions and savings in arts. 3-5)

F245 **S**

Textual Amendments

F2 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F346 **S**

Textual Amendments

F3 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in art. 3-5)

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

F4 47 S

Textual Amendments

F4 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, Sch. 10 para. 13(5); S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

F5 48 S

Textual Amendments

F5 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, Sch. 10 para. 13(5); S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

F6 49 S

Textual Amendments

F6 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, Sch. 10 para. 13(5); S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

F7 50 S

Textual Amendments

F7 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, Sch. 10 para. 13(5); S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

F8 51 S

Textual Amendments

F8 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, Sch. 10 para. 13(5); S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Succession

F9 52 S

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F9 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

Leases

F10 **53**



Textual Amendments

F10 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F11 **54**



Textual Amendments

F11 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

Subletting

F12 **55**



Textual Amendments

F12 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F13 **56**



Textual Amendments

F13 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

Repairs and improvements

F14 **57**



Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F14 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F15 **58**

Textual Amendments

F15 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F16 **58A**

Textual Amendments

F16 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F17 **59**

Textual Amendments

F17 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

F18 **60**

Textual Amendments

F18 Ss. 44-60 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(5)**; S.S.I. 2002/321, art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5)

Right to buy

F19 **61** **Secure tenant’s right to purchase** **S**

.....

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61ZA Limitation on right to purchase: new tenants **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61A Limitation on right to purchase from registered social landlords **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61B Limitation on right to purchase: pressured areas **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61C Pressured area proposals: procedure **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61D Limitation on right to purchase: arrears of rent, council tax etc. **S**

.....

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61E Limitation on right to purchase: conduct **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 61F Limitation on right to purchase: new supply social housing **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 62 The price. **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 62A **S**

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Procedure

F19 63 Application to purchase and offer to sell. **S**

.....

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 63A Information to be prescribed **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 64 **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 65 Variation of conditions. **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 66 Notice of acceptance. **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 66A Abatement of purchase price on landlord's failure before contract of sale. **S**

.....

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 66B Abatement of purchase price on landlord’s failure after contract of sale. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 66C Provisions relating to sections 66A and 66B. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 67 S

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 68 Refusal of applications. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Houses provided for special purposes

F19 69 Secretary of State’s power to authorise refusal to sell certain houses provided for persons of pensionable age. S

.....

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 69A Power to refuse to sell houses required for police purposes **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F19 70 Power to refuse to sell certain houses required for educational purposes. **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Houses liable to demolition

F19 70A Authorisation of refusal to sell houses liable to demolition **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Lands Tribunal

F19 71 Reference to Lands Tribunal. **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Recoverability of discount

F1972 Recovery of discount on early re-sale. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1973 Cases where discount etc. is not recoverable . S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Rent to loan scheme

F1973A S

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1973B S

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1973C S

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

F1973D **S**

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1974 **Duties of landlords.** **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1975 **Agreements affecting right to purchase.** **S**

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1975A **S**

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1976 **S**

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by Housing (Scotland) Act 2014 (asp 14), ss. 1(1), 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Powers of Secretary of State

F1977 **Secretary of State may make provision for vesting in landlord to bring into being tenant's right to purchase house.** **S**

.....

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1978 Secretary of State may give directions to modify conditions of sale. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1979 Secretary of State may give financial and other assistance for tenants involved in proceedings. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1980 Secretary of State may make contributions towards the cost of transfers and exchanges. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

F1981 Information from landlords in relation to Secretary of State’s powers. S

.....

Textual Amendments

F19 Ss. 61-81 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

[^{F20} Preservation of right to buy on disposal to private sector landlord]

Textual Amendments

F20 S. 81A and cross heading inserted (21.2.1992) by [Housing Act 1988 \(c. 50, SIF 61\), s. 128](#); S.I. 1992/324, [art. 2](#)

^{F21}81A **S**

Textual Amendments

F21 S. 81A repealed (30.9.2002) by [2001 asp 10, s. 112, Sch. 10 para. 13\(17\)](#); S.S.I. 2002/321, [art. 2, Sch.](#) (with transitional provisions and savings in [arts. 3-5](#))

[^{F22} Consultation before disposal to private sector landlord]

Textual Amendments

F22 S. 81B and cross heading inserted (21.2.1992) by [Housing Act 1988 \(c. 50, SIF 61\), s. 135\(1\)\(3\)](#); S.I. 1992/324, [art. 2](#)

^{F23}81B **S**

Textual Amendments

F23 S. 81B repealed (19.12.2001) by [2001 asp 10, s. 112, Sch. 10 para. 13\(17\)](#); S.S.I. 2001/467, [art. 2\(2\), Sch.](#) Table (subject to [art. 3](#))

General

82 [^{F24} **Interpretation of sections 14, 19 and 20**] **S**

In ^{F25}... sections 14, 19, [^{F26}and 20], except where provision is made to the contrary,

^{F27} ...

“family” and any reference to membership thereof shall be construed in accordance with section 83;

^{F28} ...

^{F27} ...

^{F27} ...

“landlord” means a person who lets a house to a tenant for human habitation, and includes his successors in title;

^{F27} ...

^{F27} ...

^{F29} ...

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

F29 . . .
F27 . . .

“tenancy” means any agreement under which a house is made available for occupation for human habitation, and “leases”, “let” and “lets” shall be construed accordingly;

“tenant” means a person who leases a house from a landlord and who derives his right therein directly from the landlord, and in the case of joint tenancies means all the tenants.

Textual Amendments

- F24** S. 82 heading substituted (1.8.2016) by virtue of [Housing \(Scotland\) Act 2014 \(asp 14\)](#), s. 104(3), [sch. 2 para. 4\(8\)](#); S.S.I. 2014/264, art. 2, sch. (with art. 4)
- F25** Words in s. 82 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), s. 104(3), [sch. 2 para. 4\(7\)\(a\)](#); S.S.I. 2014/264, art. 2, sch. (with art. 4)
- F26** Words in s. 82 substituted (30.9.2002) by [2001 asp 10](#), s. 112, [Sch. 10 para. 13\(18\)\(a\)](#); S.S.I. 2002/321, art. 2, [Sch.](#) (with transitional provisions and savings in arts. 3-5)
- F27** Words in s. 82 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), s. 104(3), [sch. 2 para. 4\(7\)\(b\)](#); S.S.I. 2014/264, art. 2, sch. (with art. 4)
- F28** Words in s. 82 repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 8 Pt. 2](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F29** Definitions of
“rent to loan purchaser”
and
“rent to loan scheme”
in s. 82 repealed (30.9.2002) by [2001 asp 10](#), s. 112, [Sch. 10 para. 13\(18\)\(b\)](#); S.S.I. 2002/321, art. 2, [Sch.](#) (with transitional provisions and savings in arts. 3-5)

Modifications etc. (not altering text)

- C1** S. 82 modified (13.3.1992) by [S.I. 1992/325](#), regs. 3, 5, 7, [Sch. 1](#)

83 Members of a person’s family. **S**

- (1) A person is a member of another’s family for the purposes of this Act if—
- (a) he is the spouse [^{F30}or civil partner] of that person or he and that person live together as husband and wife [^{F31}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 [^{F32}or by virtue of civil partnership] 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
 - [^{F33}(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.

Status: Point in time view as at 01/08/2016.

Changes to legislation: Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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)

[^{F34}(3) Except in subsection (1)(a), references in this Act to a person's spouse include references to [^{F35}that person's civil partner or 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.]

Textual Amendments

- F30** Words in s. 83(1)(a) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 54(a)**; S.S.I. 2005/604, arts. 2(c), 4
- F31** 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))
- F32** Words in s. 83(2)(a) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 54(b)**; S.S.I. 2005/604, arts. 2(c), 4
- F33** 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))
- F34** 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))
- F35** Words in s. 83(3) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 54(c)**; S.S.I. 2005/604, arts. 2(c), 4

Modifications etc. (not altering text)

- C2** S. 83 applied by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), ss. **37(4)**, 52
- C3** S. 83 modified (13.3.1992) by [S.I. 1992/325](#), regs. 3, 5, 7, **Sch. 1**

^{F36}**84 Service of notices.** **S**

.....

Textual Amendments

- F36** S. 84 repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), ss. **1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

^{F37}**84A Application of right to buy to cases where landlord is lessee.** **S**

.....

Textual Amendments

- F37** S. 84A repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), ss. **1(1)**, 104(3); S.S.I. 2014/264, art. 2, sch. (with art. 4)

Status:

Point in time view as at 01/08/2016.

Changes to legislation:

Housing (Scotland) Act 1987, PART III is up to date with all changes known to be in force on or before 13 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.