

Status: Point in time view as at 21/02/1992.

Changes to legislation: Housing (Scotland) Act 1987, Cross Heading: Preservation of right to buy on disposal to private sector landlord is up to date with all changes known to be in force on or before 07 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)



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART III

RIGHTS OF PUBLIC SECTOR TENANTS

[^{F1} Preservation of right to buy on disposal to private sector landlord]

Textual Amendments

F1 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

[^{F2}81A Preservation of right to buy on disposal to private sector landlord.

- (1) The right to buy provisions shall continue to apply where a person ceases to be a secure tenant of a house by reason of the disposal by the landlord of an interest in the house to a private sector landlord.
- (2) The right to buy provisions shall not, however, continue to apply under subsection (1) in such circumstances as may be prescribed.
- (3) The continued application under subsection (1) of the right to buy provisions shall be in accordance with and subject to such provision as is prescribed which may—
 - (a) include—
 - (i) such additions and exceptions to, and adaptations and modifications of, the right to buy provisions in their continued application by virtue of this section; and
 - (ii) such incidental, supplementary and transitional provisions;
as the Secretary of State considers appropriate;
 - (b) differ as between different cases or descriptions of case and as between different areas;
 - (c) relate to a particular disposal.

Status: Point in time view as at 21/02/1992.

Changes to legislation: Housing (Scotland) Act 1987, Cross Heading: Preservation of right to buy on disposal to private sector landlord is up to date with all changes known to be in force on or before 07 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)

- (4) Without prejudice to the generality of subsection (3), provision may be made by virtue of it—
- (a) specifying the persons entitled to the benefit of the right to buy provisions in their continued application by virtue of this section;
 - (b) preventing, except with the consent of the Secretary of State, the disposal by the private sector landlord of less than his whole interest in a house in relation to which the right to buy provisions continue to apply by virtue of this section;
 - (c) ensuring that where, under Ground 9 of Schedule 5 to the Housing (Scotland) Act 1988 (availability of suitable alternative accommodation), the sheriff makes an order for possession of a house in relation to which the right to buy provisions continue to apply by virtue of this section and the tenant would not have the right under this Part (other than this section) to buy the house which is or will be available by way of alternative accommodation, these provisions as so continued will apply in relation to the house which is or will be so available.
- (5) In this section—
- (a) “secure tenant” means a tenant under a secure tenancy;
 - (b) “private sector landlord” means a landlord other than one of those set out in sub-paragraphs (i) to (iv) and (viii) and (ix) of paragraph (a) of subsection (2) of section 61;
 - (c) the “right to buy provisions” means the provisions of this Act relating to the right of a tenant of a house to purchase it under this Part and to his rights in respect of a loan.]

Textual Amendments

F2 S. 81A inserted (21.2.1992) by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 128; [S.I. 1992/324](#), art. 2

Modifications etc. (not altering text)

C1 S. 81A(1) modified (13.3.1992) by [S.I. 1992/325](#), regs.3, 5, 7, [Sch. 1](#).
 S. 81A(1) modified (27.9.1993) by [S.I. 1993/2164](#), regs.3, 4, [Schs. 1, 2](#).

Status:

Point in time view as at 21/02/1992.

Changes to legislation:

Housing (Scotland) Act 1987, Cross Heading: Preservation of right to buy on disposal to private sector landlord is up to date with all changes known to be in force on or before 07 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.