



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART VIII

#### HOUSES IN MULTIPLE OCCUPATION

##### *Registration schemes*

#### **152 Registration schemes**

- (1) A local authority may make and submit to the Secretary of State for confirmation by him a registration scheme authorising the authority to compile and maintain a register for their district of—
  - (a) houses which, or a part of which, are let in lodgings, or which are occupied by members of more than one family; and
  - (b) buildings which comprise separate dwellings, two or more of which lack either or both of the following—
    - (i) a sanitary convenience accessible only to those living in the dwelling, and
    - (ii) personal washing facilities so accessible,and the Secretary of State may, if he thinks fit, confirm the scheme, with or without modification.
- (2) A registration scheme need not be for the whole of a local authority's district and need not be for every description of house or building falling within paragraphs (a) and (b) of subsection (1).
- (3) A registration scheme may—
  - (a) specify the particulars to be inserted in the register;
  - (b) make it the duty of such persons as may be specified by the scheme to notify the local authority of the fact that a house or building appears to be registrable, and to give to the authority as regards the house or building all or any of the particulars specified in the scheme;

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*Status: This is the original version (as it was originally enacted).*

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- (c) make it the duty of such persons to notify the authority of any change which makes it necessary to alter the particulars inserted in the register as regards any house or building; and
  - (d) make a contravention of, or failure to comply with, any provision in the scheme an offence under the scheme, and a person guilty of an offence under the scheme shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (4) A registration scheme may vary or revoke a previous registration scheme and a local authority may at any time, with the consent of the Secretary of State, by order revoke a registration scheme.
- (5) A registration scheme shall not come into force until it has been confirmed but, subject to that, comes into force on such date as may be fixed by the scheme or, if no date is so fixed, at the expiration of one month after it is confirmed.

### **153 Steps to inform the public about scheme**

- (1) The local authority shall publish notice of their intention to submit a registration scheme to the Secretary of State for confirmation in one or more newspapers circulating in their district at least one month before the scheme is submitted to the Secretary of State for confirmation by him.
- (2) As soon as any such scheme is confirmed by the Secretary of State, the local authority shall publish in one or more newspapers circulating in their district a notice—
- (a) stating the fact that a registration scheme has been confirmed, and
  - (b) describing any steps which will have to be taken under the scheme by those concerned with registrable houses and buildings (other than steps which have only to be taken after a notice from the local authority), and
  - (c) naming a place where a copy of the scheme may be seen at all reasonable hours.
- (3) A copy of a registration scheme confirmed by the Secretary of State—
- (a) shall be printed and deposited at the offices of the local authority by whom it was made, and
  - (b) shall at all reasonable hours be open to public inspection without payment, and
  - (c) a copy thereof shall on application be furnished to any person on payment of such sum, not exceeding 5p for every copy, as the authority may determine.
- (4) If a local authority revoke a registration scheme by order they shall publish notice of the order in one or more newspapers circulating in their district.

### **154 Proof of scheme and contents of register**

The production of a printed copy of a registration scheme purporting to be made by a local authority upon which is endorsed a certificate purporting to be signed by the proper officer of the authority stating—

- (a) that the scheme was made by the authority,
- (b) that the copy is a true copy of the scheme, and
- (c) that on a specified date the scheme was confirmed by the Secretary of State,

shall be prima facie evidence of the facts stated in the certificate, and without proof of the handwriting or official position of the person by whom the certificate purports to be signed.

### **155 Power to require information for purposes of scheme**

- (1) Without prejudice to the provisions of section 325 (power of local authority to require occupier to state interest), a local authority may—
  - (a) for the purpose of ascertaining whether a house or building is registrable, and
  - (b) for the purpose of ascertaining the particulars to be entered in the register as regards the house or building,require any person who has an estate or interest in, or who lives in, the house or building to state in writing any information in his possession which the authority may reasonably require for that purpose.
- (2) Any person who, having been required in pursuance of this section to give information to a local authority, fails to give information, or knowingly makes any mis-statement in respect of it, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.