

*Status: Point in time view as at 30/06/2011.*

*Changes to legislation: Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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)*

## SCHEDULES

### SCHEDULE 1

Section 10(4).

#### RULES AS TO ASSESSMENT OF COMPENSATION WHERE LAND PURCHASED COMPULSORILY IN CERTAIN CIRCUMSTANCES

- 1 —If the Lands Tribunal are satisfied that the rent of any premises was enhanced by reason of their being used for illegal purposes, the compensation shall, so far as it is based on rental, be based on the rental which would have been obtainable if the premises were occupied for legal purposes.
- 2 —If the Lands Tribunal are satisfied that the rent of any premises was higher than that generally obtained at the time for similar premises in the locality and that such enhanced rent was obtained by reason of the premises being overcrowded within the meaning of Part VII, the compensation shall, so far as it is based on rent, be based on the rent so generally obtained.
- 3.— The local authority may tender evidence as to the matters mentioned in paragraphs 1 or 2 although they have not taken any steps to remedy them.
- 4 —The Lands Tribunal shall (except as provided in section 15(1) of the Land Compensation (Scotland) Act 1963) have regard to, and make an allowance in respect of, any increased value which, in their opinion, will be given to other premises of the same owner by the demolition by the local authority of any buildings.
- 5 —The Lands Tribunal shall embody in their award a statement showing separately whether compensation has been reduced by reference to the use of the premises for illegal purposes, to overcrowding, and to the considerations mentioned in paragraph 4 of this Schedule, and the amount (if any) by which compensation has been reduced by reference to each of those matters.

### [<sup>F1</sup>SCHEDULE 2

Section 44(4), (5)

#### Textual Amendments

- F1** Sch. 2 repealed (30.9.2002) by 2001 asp 10, s. 112, Sch. 10 para. 13(42); S.S.I. 2002/321, art. 2, Sch. (with transitional provisions and savings in arts. 3-5)

### [<sup>F5</sup>SCHEDULE 3

Sections 48 and 51.

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**Textual Amendments**

**F5** Sch. 3 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(42)**; S.S.I. 2002/321, art. 2, **Sch.** (with transitional provisions and savings in arts. 3-5)

[<sup>F10</sup>SCHEDULE 4

Section 55(6).

**Textual Amendments**

**F10** Sch. 4 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(42)**; S.S.I. 2002/321, art. 2, **Sch.** (with transitional provisions and savings in arts. 3-5)

[<sup>F11</sup>SCHEDULE 5

Section 57(3).

**Textual Amendments**

**F11** Sch. 5 repealed (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(42)**; S.S.I. 2002/321, art. 2, **Sch.** (with transitional provisions and savings in arts. 3-5)

SCHEDULE 6

Section 77(3).

VESTING ORDER UNDER SECTION 77: MODIFICATION OF ENACTMENTS

*[<sup>F12</sup>The Town and Country Planning (Scotland) Act 1997 (c. 8)]*

**Textual Amendments**

**F12** Sch. 6 heading substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 40(4)(a)**

1 —Paragraphs 1(2), 6 to 13 and 16 to 39 of [<sup>F13</sup>Schedule 15] only shall apply and in them any reference to a general vesting declaration shall be treated as a reference to an order under section 77.

**Textual Amendments**

**F13** Words in Sch. 6 para. 1 substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 40(4)(b)**

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2 —The references in paragraphs 6, 7 and 37 of that Schedule to the end of the period specified in a general vesting declaration shall be treated as references to the date on which such an order comes into force and the reference in paragraph 9 thereof to the acquiring authority having made a general vesting declaration shall be treated as a reference to such order having come into force.

3 —In paragraph 6 of that Schedule—  
 (a) the reference to every person on whom, under section 17 of the Lands Clauses Consolidation (Scotland) Act 1845, the acquiring authority could have served a notice to treat, shall be treated as a reference to every person whose interest in the land to which such order relates is vested by the order in the landlord; and  
 (b) sub-paragraph (a) shall be omitted.

4 —The reference in paragraph 20(2) of that Schedule to the date on which the notice required by paragraph 4 thereof is served on any person shall be treated as a reference to the date on which such an order comes into force.

5 —In paragraph 29 of that Schedule—  
 (a) sub-paragraph (1)(a) shall be omitted; and  
 (b) the reference in sub-paragraph (1)(b) to the date on which a person first had knowledge of the execution of the general vesting declaration shall be treated as a reference to the date on which such order came into force.

*The Land Compensation (Scotland) Act 1963 (c.51)*

6 —Any reference to the date of service of a notice to treat shall be treated as a reference to the date on which an order under section 77 comes into force.

7 —Section 25(2) shall be treated as if for the words “the authority proposing to acquire it have served a notice to treat in respect thereof, or an agreement has been made for the sale thereof to that authority” there were substituted the words “an order under section 77 of the Housing (Scotland) Act 1987 vesting the land in which the interest subsists in the landlord has come into force, or an agreement has been made for the sale of the interest to the landlord”.

8 —In section 30—  
 (a) subsection (2) shall be treated as if at the end of paragraph (c) there were added the words—  
     “; or—  
     (d) where an order has been made under section 77 of the Housing (Scotland) Act 1987 vesting the land in which the interest subsists in the landlord.”; and  
 (b) subsection (3) shall be treated as if in paragraph (a) the words “or (d)” were inserted after the words “subsection (2)(b)”.

9 —Any reference to a notice to treat in section 45(2) shall be treated as a reference to an order under the said section 77.

10 —In Schedule 2, paragraph 2(1)(a) shall be treated as if the words “or the coming into force of an order under section 77 of the Housing (Scotland) Act 1987 for the vesting of the land in the landlord” were inserted after the word “land”.

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## [<sup>F14</sup>SCHEDULE 6A]

### Textual Amendments

**F14** Sch. 6A repealed (19.12.2001) by 2001 asp 10, s. 113(1), Sch. 10 para. 13(42); S.S.I. 2001/467, art. 2(2), Sch. Table (subject to art. 3)

## <sup>F15</sup>SCHEDULE 7

Section 93.

### Textual Amendments

**F15** Sch. 7 repealed (1.4.2010) by Housing (Scotland) Act 2006 (asp 1), s. 195(3), sch. 7 (with s. 193); S.S.I. 2009/122, art. 3

## <sup>F16</sup>SCHEDULE 8

Section 95.

### Textual Amendments

**F16** Sch. 8 repealed (1.4.2010) by Housing (Scotland) Act 2006 (asp 1), s. 195(3), sch. 7 (with s. 193); S.S.I. 2009/122, art. 3

## SCHEDULE 9

Sections 109(5), 131(2), 164(4).

### RECOVERY OF EXPENSES BY CHARGING ORDER

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

**C1** Sch. 9 applied (27.8.1993) by 1993 c. 11, ss. 62(2)(a)(ii), 68(2).

- 1 —Where under sections 108(3), 131(2) and 164(4) a local authority have themselves incurred expenses in relation to a house or building, they may make in favour of themselves an order (in this Schedule referred to as a “charging order”) providing and declaring that the house or building is thereby charged and burdened with an annuity to pay the amount of the expenses.
- 2 —The annuity charged shall be such sum not exceeding such sum as may be prescribed, as the local authority may determine for every £100 of the said amount

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- and so in proportion for any less sum, and shall commence from the date of the order and be payable for a term of 30 years to the local authority.
- 3 —A charging order shall be in such form as may be prescribed and shall be recorded in the General Register of Sasines, or registered in the Land Register, as the case may be.
- 4 —Every annuity constituting a charge by a charging order duly recorded in the General Register of Sasines or registered in the Land Register, as the case may be, shall be a charge on the premises specified in the order and shall have priority over—
- (a) all future burdens and incumbrances on the same premises, and
  - (b) all existing burdens and incumbrances thereon except—
    - (i) feuduties, teinds, ground annuals, stipends and standard charges in lieu of stipends;
    - (ii) any charges created or arising under any provision of the Public Health (Scotland) Act 1897 or any Act amending that Act, or any local Act authorising a charge for recovery of expenses incurred by a local authority, or under this Schedule; and
    - (iii) any charge created under any Act authorising advances of public money.
- 5 —A charging order duly recorded in the General Register of Sasines or registered in the Land Register, as the case may be, shall be conclusive evidence that the charge specified therein has been duly created in respect of the premises specified in the order.
- 6 —Every annuity charged by a charging order may be recovered by the person for the time being entitled to it by the same means and in the like manner in all respects as if it were a feuduty.
- 7 —A charging order and all sums payable thereunder may be from time to time transferred in like manner as a [<sup>F17</sup>standard] security and sums payable thereunder.

#### Textual Amendments

**F17** Word in [Sch. 9 para. 7](#) substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 48\(15\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

- 8 —Any owner of, or other person interested in, premises on which an annuity has been charged by any such charging order shall at any time be at liberty to redeem the annuity on payment to the local authority or other person entitled thereto of such sum as may be agreed upon or, in default of agreement, determined by the Secretary of State.

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### Textual Amendments

**F18** Sch. 10 repealed (3.9.2007) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2007/270](#), art. 3 (with arts. 4, 5)

## SCHEDULE 11

Section 164(4), 184(2), 187(3), 189.

### HOUSES IN MULTIPLE OCCUPATION: CONTROL ORDERS

#### PART I

##### MANAGEMENT SCHEMES

- 1 (1) A management scheme shall give particulars of all works which in the opinion of the local authority—
  - (a) the local authority would have required to be carried out under the provisions of Part VIII (other than those relating to control orders), or under any other enactment relating to housing or public health, and
  - (b) constitute works involving capital expenditure.
- (2) A management scheme shall also—
  - (a) include an estimate of the cost of carrying out the works of which particulars are given in the scheme; and
  - (b) specify what is in the opinion of the local authority the highest number of individuals or households who should, having regard to the considerations set out in subsections (1) to (3) of section 161, live in the house having regard to its existing condition and to its future condition as the works progress which the authority carry out in the house; and
  - (c) include an estimate of the balances which will from time to time accrue to the local authority out of the net amount of the rent and other payments received by the authority from persons occupying the house after deducting—
    - (i) compensation payable by the authority under section 181 and section 183, and
    - (ii) all expenditure, other than expenditure of which particulars are given under subsection (2), incurred by the authority in respect of the house while the control order is in force, together with the appropriate establishment charges.
- (3) In this Schedule, references to surpluses on revenue account as settled by the scheme are references to the amount included in the scheme by way of an estimate under sub-paragraph (2)(c), subject to any variation of the scheme made by the local authority under sub-paragraph (4), or made by the sheriff on an appeal or an application under the following provisions of this Schedule.
- (4) The local authority may at any time vary the scheme in such a way as to increase the amount of the surpluses on revenue account as settled by the scheme for all or any periods (including past periods).

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*Recovery by local authority of capital expenditure*

- 2 (1) Account shall be kept by the local authority for the period during which a control order is in force showing—
- (a) the surpluses on revenue account as settled by the management scheme, and
  - (b) the expenditure incurred by the authority in carrying out works of which particulars were given in the scheme.
- (2) Balances shall be struck in the account at half-yearly intervals so as to ascertain the amount of expenditure under sub-paragraph (1)(b) which cannot be set off against the said surpluses on revenue account, and (except where the control order is revoked by the sheriff on an appeal against the control order and the account under this section is no longer needed) the final balance shall be struck at the date when the control order ceases to have effect.
- (3) So far as, at the end of any half-yearly period, expenditure is not set off against the said surpluses on revenue account, the expenditure shall, for the purposes of this paragraph, carry interest at such reasonable rate as the local authority may determine until it is so set off or until a demand for such expenditure is served by local authority under section 109(1), as applied by sub-paragraph (6).
- (4) So far as there is any sum out of the said surpluses on revenue account not required to meet any expenditure incurred by the local authority, it shall go to meet interest under sub-paragraph (3).
- (5) Except where the control order is revoked by the sheriff on an appeal against the control order under the following provisions of this Schedule, on and after the time when the control order ceases to have effect the expenditure reasonably incurred by the local authority in carrying out works of which particulars were given in the scheme, together with interest as provided in this paragraph, shall, so far as not set off in accordance with this paragraph against the surpluses on revenue account as settled by the scheme, be recoverable from the dispossessed proprietor.
- (6) Sections 108(6) (exercise of power of local authority to secure repair of house in state of serious disrepair without prejudice to other powers) and 109 (recovery by local authority of expenses) shall, subject to any necessary modifications, apply for the purpose of enabling the local authority to recover from the dispossessed proprietor any expenditure which, by virtue of sub-paragraph (5), is recoverable from him as they apply for the purpose of enabling a local authority to recover expenses incurred by them in executing works under sections 108(3) to (5) and 109(1).
- (7) Sections 111 (appeals) and 112 (date of operation of notices, etc.) shall apply in relation to a demand by the local authority for the recovery of any such expenditure and to an order made by the local authority with respect to any such expenditure as they apply in relation to a demand for the recovery of expenses incurred by a local authority in executing works under section 108(3) to (5) and to an order made by a local authority with respect to an order made by a local authority with respect to any such expenses.
- (8) The local authority may make a charging order in favour of themselves in respect of any such expenditure, and Schedule 9, shall, with any necessary modifications, apply to a charging order so made in like manner as it applies to a charging order made under that Schedule.

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- (9) Section 178(2) shall not apply so as to restrict the effect of any charging order made by virtue of sub-paragraph (8) to the part of the house to which a control order is applied.
- (10) For the purposes of this paragraph, references to the provisions of a scheme include references to those provisions as varied under this Schedule and if when the control order ceases to have effect, proceedings under the following provisions of this Schedule are pending which may result in a variation of the scheme, those proceedings may be continued until finally determined; and if any expenditure which, by virtue of sub-paragraph (5), is recoverable from the dispossessed proprietor is recovered from him before the final determination of those proceedings, the local authority shall be liable to account for any money so recovered which, having regard to the decision in the proceedings as finally determined, they ought not to have recovered.

## PART II

### APPEAL AND REVIEW

- 3 (1) Within 6 weeks from the date on which a copy of the relevant scheme is served in accordance with section 184(1), any person having an estate or interest in the house may appeal to the sheriff against the scheme on all or any of the following grounds, that is to say—
- (a) that having regard to the condition of the house and to the other circumstances, any of the works of which particulars are given in the scheme (whether already carried out or not) are unreasonable in character or extent, or are unnecessary;
  - (b) that any of the works do not involve expenditure which ought to be regarded as capital expenditure;
  - (c) that the number of individuals or households living in the house, as specified by the local authority in the scheme, is unreasonably low;
  - (d) that the estimate of the surpluses on revenue account in the scheme is unduly low on account of some assumptions, whether as to rents charged by the local authority or otherwise, made by the authority in arriving at the estimate as to matters, which are within the control of the authority.
- (2) On an appeal under this paragraph the sheriff may, as he thinks fit, confirm or vary the scheme.
- (3) If an appeal has been brought against the control order and the sheriff decides on the appeal to revoke the control order, the sheriff shall not proceed with any appeal against the scheme relating to that control order.
- (4) Proceedings on an appeal against a scheme shall, so far as practicable, be combined with proceedings on any appeal against the control order to which the scheme relates.
- 4 (1) Without prejudice to the right of appeal against a scheme conferred by paragraph 3, either the local authority or any person having [<sup>F19</sup>a right] or interest in the house to which the scheme relates may at any time apply to the sheriff for a review of the estimate of the surpluses on revenue account in the scheme.



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- (2) On an application under this paragraph, the sheriff may, as he thinks fit, confirm or vary the scheme, but the sheriff shall not on such an application vary the scheme so as to affect the provisions thereof relating to the works.
- (3) On an application under this paragraph the surpluses on revenue account as settled by the scheme may be varied for all or any periods including past periods, and the sheriff shall take into consideration whether in the period since the control order came into force the actual balances mentioned in paragraph 1(2)(c) have exceeded, or been less than, the surpluses on revenue account as settled by the scheme as for the time being in force, and shall also take into consideration whether there has been any change in circumstances such that the number of persons or households who should live in the house, or the net amount of the rents and other payments receivable by the local authority from persons occupying the house, ought to be greater or less than was originally estimated.

#### Textual Amendments

**F19** Words in Sch. 11 para. 4(1) substituted (28.11.2004) by Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), ss. 71, 77(2), sch. 12 para. 48(16)(a) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

- 5 (1) If a local authority refuse an application to revoke a control order under section 188(4) or do not within 42 days from the making of the application or within such further period as the applicant may in writing allow, inform the applicant of their decision on the application, the applicant may appeal to the sheriff, and the sheriff may revoke the control order:
 

Provided that, if an appeal has been brought under this paragraph then, except with the leave of the sheriff, another appeal shall not be so brought, whether by the same or a different appellant, in respect of the same control order until the expiry of a period of 6 months beginning with the final determination of the first-mentioned appeal.
- (2) If on an appeal under this paragraph the local authority represent to the sheriff that revocation of the control order would unreasonably delay completion of any works of which particulars were given in the relevant scheme under Part VIII and which the authority have begun to carry out, the sheriff shall take the representations into account and may, if he thinks fit, revoke the control order as from the time when the works are completed.
- (3) If an appellant under this paragraph has [<sup>F20</sup>a right] or interest in the house which, apart from the rights conferred on the local authority by the provisions of Part VIII relating to control orders, and apart from the rights of persons occupying any part of the house, would give him the right to possession of the house, and [<sup>F20</sup>that right] or interest was, when the control order came into force, subject to a lease for a term of years which has subsequently expired, then, if that person satisfies the sheriff that he is in a position and intends, if the control order is revoked, to demolish or reconstruct the house or to carry out substantial work of construction on the site of the house, the sheriff shall revoke the control order.
- (4) Where in a case falling under sub-paragraph (3), the sheriff is not satisfied as therein mentioned, but would be so satisfied if the date of revocation of the control order were a date later than the date of the hearing of the appeal, the sheriff shall, if the appellant so requires, make an order for the revocation of the control order on that later date.

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- (5) Where the sheriff on an appeal under sub-paragraph (1) decides to revoke a control order in respect of a house from the dispossessed proprietor of which any amount will be recoverable by virtue of Part VIII, the sheriff may make it a condition of the revocation of the control order that the appellant first pays off to the local authority that amount, or such part of that amount, as the sheriff may specify.
- (6) Where the sheriff on an appeal under sub-paragraph (1) revokes a control order, he may authorise the local authority to create under section 179(2) interests which expire, or which the dispossessed proprietor can terminate, within 6 months from the time when the control order ceases to have effect being interests which, notwithstanding subsection (3) of that section, are for a fixed term exceeding one month, or are terminable by notice to quit (or an equivalent notice) of more than 4 weeks.
- (7) Where a control order is revoked by the local authority under section 188(2), or by the sheriff on an appeal under sub-paragraph (1), the local authority shall as soon as practicable thereafter cause to be recorded in the General Register of Sasines or registered in the Land Register, as the case may be, the revocation order made by them or, as the case may be, a notice stating that the control has been revoked by the sheriff as aforesaid.

#### Textual Amendments

**F20** Words in *Sch. 11 para. 5(3)* substituted (28.11.2004) by *Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5)*, ss. 71, 77(2), **sch. 12 para. 48(16)(b)** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

- 6 (1) A sheriff who revokes a control order on appeal may authorise the local authority to create under section 179(2) interests which expire, or which the dispossessed proprietor can terminate, within 6 months from the time when the control order ceases to have effect, being interests which, notwithstanding subsection (3) of section 179, are for a fixed term exceeding one month, or are terminable by notice to quit (or an equivalent notice) of more than 4 weeks.
- (2) The sheriff shall take into consideration whether the state or condition of the house is such that any action ought to be taken by the local authority under the provisions of Part VIII (other than those relating to control orders) and shall take all or any of the following steps accordingly, that is to say—
  - (a) approve the making of an order under section 157;
  - (b) approve the giving of a notice under section 160 or section 161 or section 162; or
  - (c) approve the giving of a direction under section 166;
 and no appeal against any order or notice so approved shall lie under section 158 or section 163.
- (3) In respect of the period from the coming into force of the control order until its revocation by the sheriff, the local authority shall, subject to this paragraph, be liable to pay to the dispossessed proprietor the balances which from time to time accrued to the authority out of the net amount of the rent and other payments received by the authority while the control order was in force from persons occupying the house after deducting—
  - (a) compensation payable by the local authority under section 181 and section 183, and

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- (b) all expenditure, other than capital expenditure, incurred by the local authority in respect of the house while the control order was in force, together with the appropriate establishment charges.
- (4) If the sheriff is satisfied that the balances which the local authority are, under sub-paragraph (3), liable to pay to the dispossessed proprietor are unduly low for any reason within the control of the authority, having regard to the desirability of observing the standards of management contained in regulations made under section 156 and to the other standards which the authority ought to observe as to the number of persons living in the house and the rents which they ought to charge, the sheriff shall direct that, for the purposes of the authority's liability to the dispossessed proprietor under this paragraph, the balances under sub-paragraph (3) shall be deemed to be such greater sums as the sheriff may direct:
- Provided that the sheriff shall not under this sub-paragraph give a direction which will afford to the dispossessed proprietor a sum greater than what he may, in the opinion of the sheriff, have lost by the making of the control order.
- (5) If different persons are dispossessed proprietors in relation to different parts of the house, sums payable under this paragraph by the local authority shall be apportioned between them in the manner provided by section 183(5).
- (6) For the purpose of enabling the local authority to recover capital expenditure incurred by them in carrying out works in the house in the period before the control order is revoked, the authority may on the hearing of the appeal apply to the sheriff for approval of those works on the ground that they were works which, if a control order had not been in force, the authority could have required some other person to carry out under the foregoing provisions of Part VIII (other than those relating to control orders), or under any other enactment relating to housing or public health, and that the carrying out of the works could not be postponed until after the determination of the appeal because the works were urgently required for the sake of the safety, welfare or health of the persons living in the house, or other persons.
- (7) Any expenditure reasonably incurred by the local authority in carrying out works approved under sub-paragraph (6)—
- (a) may be deducted by the local authority out of the balances which the authority are, under sub-paragraph (3), liable to pay to the dispossessed proprietor;
- (b) so far as not so deducted, shall be recoverable from the dispossessed proprietor.
- (8) Any expenditure recoverable by the local authority from the dispossessed proprietor by virtue of sub-paragraph (7)(b) shall carry interest at such reasonable rate as the local authority may determine from the date when the control order is revoked; and sub-paragraphs (6) to (8) of paragraph 2 shall, with any necessary modifications, apply for the purpose of enabling the authority to recover any such expenditure.

*Powers of court to restrict recovery of possession*

- 7 (1) The provisions of this paragraph apply where—
- (a) a local authority have made an order under Part I of Schedule 1 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, as applied to the acquisition of land under this Act (other than section 121)

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- authorising the compulsory acquisition of a house which is let in lodgings or which is occupied by members of more than one family; and
- (b) any premises forming part of that house are at a time in the relevant period occupied by a person (in this paragraph referred to as “the former lessee”) who was the lessee of those premises when the order was made or became the lessee thereof after the order was made, but who is no longer the lessee thereof.
- (2) In this paragraph “the relevant period” means the period beginning with the making of that order and ending on the third anniversary of the date on which the order becomes operative or, if at a time before the expiration of the said period, the Secretary of State notifies the local authority that he declines to confirm the order, or the order is quashed by a court, the period beginning with the making of the order and ending with that time.
- (3) Subject to the provisions of this paragraph, in proceedings in any court of competent jurisdiction instituted during the relevant period to enforce against the former lessee the right to recover possession of the premises the court may if it thinks fit—
- (a) suspend the execution of any decree of removing or warrant of ejection or other like order made in the proceedings for such period, not extending beyond the end of the period of three years beginning on the relevant date and subject to such conditions, if any, as the court thinks fit; and
- (b) from time to time vary the period of suspension (but not so as to enlarge that period beyond the end of the said period of 3 years, or terminate it), and vary the terms of the said decree, warrant or other like order in other respects.
- (4) For the purposes of sub-paragraph (3), “the relevant date” means—
- (a) if the compulsory purchase order concerned has become operative before the date on which the court exercises its power under that sub-paragraph, the date on which the order became operative; and
- (b) in any other case the date on which the court exercises or, as the case may be, exercised its power under paragraph (a) of that sub-paragraph in relation to the decree of removing or warrant of ejection or other like order in question.
- (5) If at any time the Secretary of State notifies the local authority that he declines to confirm the compulsory purchase order, or that order is quashed by a court, or, whether before or after that order has been submitted to the Secretary of State for confirmation, the authority decide not to proceed with it, it shall be the duty of the authority to notify the person entitled to the benefit of the decree of removing or warrant of ejection or other like order, and that person shall be entitled, on applying to the court, to obtain an order terminating the period of suspension, but subject to the exercise of such discretion in fixing the date on which possession is to be given as the court might exercise apart from this sub-paragraph if it were then making such a decree, warrant or other like order for the first time.
- (6) Sub-paragraphs (3) to (5) shall not apply where the person entitled to possession of the premises is the local authority.

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### PART III

#### CONSEQUENCES OF CESSATION OF CONTROL ORDER

##### *Transfer of landlord's interest in tenancies and agreements*

- 8 (1) On and after the date on which the control order ceases to have effect any lease, licence or agreement in which the local authority were substituted for any other party by virtue of section 180 shall have effect as if for the authority there were substituted in the lease, licence or agreement the original party or his successor in title.
- (2) On and after the date on which the control order ceases to have effect any agreement in the nature of a lease or licence created by the local authority shall have effect as if the dispossessed proprietor were substituted in the agreement for the authority.
- (3) If the dispossessed proprietor is a lessee, nothing in any superior lease shall impose any liability on the dispossessed proprietor or any superior lessee in respect of anything done in pursuance of the terms of an agreement in which the dispossessed proprietor is substituted for the local authority by virtue of this paragraph.

##### *Cases where leases have been modified while control order was in force*

- 9 —If under section 185 the sheriff modifies or determines a lease, the sheriff may include in the order modifying or determining the lease provisions for modifying the effect of paragraph 8 in relation to the lease.

##### *Interpretation*

- 10 —References in this Part of this Schedule to the control order ceasing to have effect are references to its ceasing to have effect whether on revocation or in any other circumstances.

### PART IV

#### RECOVERY OF EXPENSES BY LOCAL AUTHORITY EXECUTING WORKS UNDER SECTION 164

- 11 (1) Sections 108(6) (exercise of power of local authority to secure repair of house in state of serious disrepair without prejudice to other powers) and 109 (recovery by local authority of expenses) shall, subject to any necessary modifications, apply for the purpose of enabling a local authority to recover any expenses reasonably incurred by them in carrying out works under section 164 as they apply for the purpose of enabling a local authority to recover expenses incurred by them in executing works under section 108(3), but—
- (a) the person from whom such expenses may be recovered shall be the person on whom the notice was served, and
  - (b) if that person was only properly served with the notice as trustee, tutor, curator, factor or agent for or of some other person, then the expenses may be recovered either from him or from that other person, or in part from him and in part from that other person.
- (2) Sections 111 (Appeals) and 112 (Date of operation of notices etc.) shall apply in relation to a demand by a local authority for the recovery of such expenses and to

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an order made by a local authority with respect to any such expenses as they apply in relation to a demand for the recovery of expenses incurred by a local authority in executing works under section 108(3) and to an order made by a local authority with respect to any such expenses.

- (3) Where a local authority have incurred such expenses, it shall be competent for them to make a charging order in favour of themselves in respect of such expenses; and Schedule 9 shall, with any necessary modifications, apply to a charging order so made in like manner as it applies to a charging order made under that Schedule.
- (4) If a local authority apply to the sheriff and satisfy him—
- (a) that any such expenses reasonably incurred by them (with the interest accrued due thereon) have not been, and are unlikely to be, recovered, and
  - (b) that some person is profiting by the execution of the works in respect of which the expenses were incurred to obtain rents or other payments which would not have been obtainable if those works had not been executed,
- the sheriff, if satisfied that that person has had proper notice of the application, may order him to make such payment or payments to the local authority as may appear to the sheriff to be just.

## SCHEDULE 12

Section 199.

### TERMINATION OF EXCHEQUER PAYMENTS TO LOCAL AUTHORITIES AND CERTAIN PERIODICAL PAYMENTS TO OTHER PERSONS

- 1 (1) No payment shall be made—
- (a) for the year 1979-80 or any subsequent year to a local authority under any of the enactments specified in Part I of the Table in paragraph 2;
  - (b) for the year 1978-79 or any subsequent year to—
    - (i) the Scottish Special Housing Association under any of the enactments specified in Parts II or III of that Table;
    - (ii) a development corporation under any of the enactments specified in Part II of that Table.
- (2) The right of a local authority to receive any payment under any of the enactments specified in Part I of that Table or section 105 of the Housing (Scotland) Act 1950 shall be extinguished unless an application has been made for the payment before 31st March 1980 or such later date as the Secretary of State may in exceptional circumstances allow.
- (3) Subject to the following provisions of this paragraph, where—
- (a) information given to the Secretary of State on any such application as is mentioned in sub-paragraph (2) for a payment includes any particulars which are, and are stated to be, based on an estimate; and
  - (b) it appears to the Secretary of State—
    - (i) that the estimate is reasonable, and
    - (ii) that, assuming the estimate were correct, the information and other particulars given on the application are sufficient to enable him to determine the amount of the payment;

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the Secretary of State may accept the estimate and make a payment accordingly.

- (4) Any payment made in pursuance of sub-paragraph (3) so far as it is based on an estimate of the cost of land may be adjusted when the final cost of the land is ascertained.
- (5) Where any payment is made in pursuance of sub-paragraph (3), the recipient shall not be entitled to question the amount of the payment on a ground which means that the estimate was incorrect.
- (6) Where the Secretary of State is not satisfied that the estimate is reasonable, he may, if he thinks fits, accept the application and make a payment of such amount as appears to him reasonable.
- (7) No housing association grant under Part II of the <sup>M2</sup>Housing Associations Act 1985 shall be paid to a local authority, the Association or a development corporation in respect of any project completed after 31st March 1979.
- (8) No payment shall be made for the year 1979-80 or any subsequent year under—
- (a) section 27(1) of the <sup>M3</sup>Housing (Scotland) Act 1949, section 89(1) of the <sup>M4</sup>Housing (Scotland) Act 1950 or section 21(1) of the 1968 Act (exchequer contributions for hostels); or
  - (b) section 33 of the Housing Act 1974 or section 55 of the Housing Associations Act 1985 (hostel deficit grants),
- to a local authority, the Association or a development corporation.

#### Marginal Citations

**M2** 1985 c. 69.

**M3** 1949 c. 61.

**M4** 1950 c. 34.

2 Table

## PART I

### PAYMENTS TO LOCAL AUTHORITIES

Chapter	Act	Section
1968 c. 31.	The Housing (Financial Provisions) (Scotland) Act 1968.	Section 13.
1969 c. 34.	The Housing (Scotland) Act 1969.	Section 59(1) so far as the payments thereunder relate to land to which the housing revenue account relates.
1972 c. 46.	The Housing (Financial Provisions) (Scotland) Act 1972.	Sections 2, 3 and 4.

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## PART II

### PAYMENTS TO THE SCOTTISH SPECIAL HOUSING ASSOCIATION AND DEVELOPMENT CORPORATIONS

Chapter	Act	Section
1968 c. 31.	The Housing (Financial Provisions) (Scotland) Act 1968.	Section 13.
1969 c. 34.	The Housing (Scotland) Act 1969.	Section 59(1).
1972 c. 46.	The Housing (Financial Provisions) (Scotland) Act 1972.	Sections 8, 9 and 10.

## PART III

. . . F21

#### Textual Amendments

**F21** Sch. 12 para. 2 Pt. III repealed by Housing (Scotland) Act 1988 (c. 43, SIF 61), ss. 1, 3, 72(3), Sch. 2 para. 15, **Sch. 10**

## SCHEDULE 13

Section 201(4).

### ENACTMENTS SPECIFYING EXCHEQUER CONTRIBUTIONS

The Housing (Scotland) Act <sup>M5</sup>1950.

#### Marginal Citations

**M5** 14 Geo.6 c.34

The Housing (Scotland) Act <sup>M6</sup>1962, Part I.

#### Marginal Citations

**M6** 10 & 11 Eliz.2 c.28

The Housing (Financial Provisions) (Scotland) Act <sup>M7</sup>1968.



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### Marginal Citations

**M7** 1968 c.31.

F22

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### Textual Amendments

**F22** Entry repealed by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), s. 72(3), **Sch. 10**

F22

...

F22

...

## SCHEDULE 14

Section 201(5).

### ENACTMENTS SPECIFYING EXCHEQUER CONTRIBUTIONS THAT MAY BE REDUCED, SUSPENDED OR DISCONTINUED

The Housing (Scotland) Act <sup>M8</sup>1950, sections 105, 110 and 121.

### Marginal Citations

**M8** 14 Geo.6 c.34

The Housing (Scotland) Act <sup>M9</sup>1962, sections 12(3) and 14.

### Marginal Citations

**M9** 10 & 11 Eliz.2 c.28

The Housing (Financial Provisions) (Scotland) Act <sup>M10</sup>1968, Part I, Part II (except sections 26 and 50) and section 58(4).

### Marginal Citations

**M10** 1968 c.31.

F23

...

### Textual Amendments

**F23** Entry repealed by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), s. 72(3), **Sch. 10**

The Housing (Financial Provisions) (Scotland) Act <sup>M11</sup>1972, Part I.

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### Marginal Citations

M11 1972 c.46.

... F23

... F23

## SCHEDULE 15

Section 203.

### THE HOUSING REVENUE ACCOUNT

#### PART I

##### APPLICATION OF ACCOUNT

- 1 (1) The houses, buildings and land specified for the purposes of section 203(1) (the housing revenue account) are—
- (a) all houses and other buildings which have been provided after 12th February 1919 for the purpose of—
    - (i) Part III of the Housing (Scotland) Act 1925, or
    - (ii) any enactment relating to the provision of housing accommodation for the working classes repealed by that Act, or
    - (iii) Part V of the Housing (Scotland) Act 1950, or
    - (iv) Part VII of the Act of 1966, or
    - (v) Part I of this Act;
  - (b) all land which after that date has been acquired or appropriated for the purposes of any of the enactments mentioned or referred to in paragraph (a) including—
    - (i) all land which is deemed to have been acquired under Part III of the said Act of 1925 by virtue of section 15(4) of the Housing (Scotland) Act 1935, and
    - (ii) any structures on such land which were made available to a local authority under section 1 of the Housing (Temporary Accommodation) Act 1944;
  - (c) all dwellings provided or improved by the local authority in accordance with improvement proposals approved by the Secretary of State under—
    - (i) section 2 of the Housing (Scotland) Act 1949, or
    - (ii) section 105 of the said Act of 1950, or
    - (iii) section 13 of the Act of 1968,
 and all land acquired or appropriated by the authority for the purpose of carrying out such proposals;
  - (d) all houses in housing action areas within the meaning of Part II of the Housing (Scotland) Act 1974 or Part IV of this Act which have been purchased by the local authority under Part II of the said Act of 1974 or Part IV of this Act for the purpose of bringing them or another house up to the

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- standard specified under section 16(3) or by virtue of section 17(3) of the Housing (Scotland) Act 1974 or section 90(3) or 91(3) of this Act;
- (e) all buildings provided or converted for use as lodging houses (that is to say houses not occupied as separate dwellings) or hostels as defined in section 138(4) of the Act of 1966 and section 2(5) of this Act or as parts of lodging houses or hostels.
- (2) Where a house is for the time being vested in a local authority by reason of the default of any person in carrying out the terms of any arrangements under which assistance in respect of the provision, reconstruction or improvement of the house has been given under any enactment relating to housing, the house shall be deemed for the purposes of sub-paragraph (1) to be a house which has been provided by the authority under Part VII of the Act of 1966 or Part I of this Act.
- (3) The houses and other property to which a local authority's housing revenue account relates shall include any property brought within the account before 27th August 1972—
- (a) with the consent of the Secretary of State given under section 60(1)(f) of the Act of 1968, or
- (b) by virtue of subsection (2) of the said section (house vesting in local authority on default of another person).

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

**C2** Sch. 15 para. 1(1)(e) extended (1.4.1999) by S.I. 1999/828, art. 3(3)

**PART II**

**OPERATION OF ACCOUNT**

*Credits*

- 2 (1) For each year a local authority shall carry to the credit of the housing revenue account amounts equal to—
- (a) the income receivable by the local authority from standard rents;
- (b) any income receivable by the local authority for that year in respect of service charges, supplementary charges, feuduties and any other charges in respect of houses and other property to which the account relates;
- (c) the housing support grant payable to the local authority for that year;
- (d) any income receivable by the local authority for that year in respect of all such buildings as are referred to in paragraph 1(1)(e);
- (e) any payments received by the local authority from another local authority in pursuance of any overspill agreement, being payments such as are mentioned in paragraph 3(f) of this Schedule;
- <sup>F24</sup>(f) .....
- (g) income, and receipts in the nature of income, being income or receipts arising for that year from the investment or other use of money carried to the account;
- (h) any other income of any description, except a contribution out of the general fund kept under section 93 of the Local Government (Scotland) Act 1973,

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- receivable by the local authority for that year, being income relating to expenditure falling to be debited to the account for that year;
- (i) such other income of the local authority as the Secretary of State may direct.
- (2) Subject to sub-paragraph (3), where any house or other property to which the account relates has been sold or otherwise disposed of, an amount equal to any income of the local authority arising from the investment or other use of capital money received by the authority in respect of the transaction shall be carried to the credit of the account.
- (3) Sub-paragraph (2) shall not apply—
- (a) where the Secretary of State otherwise directs as respects the whole or any part of such income, or
- (b) as respects income from capital money carried to a capital fund under paragraph 23 of Schedule 3 to the<sup>M12</sup>Local Government (Scotland) Act 1975.
- (4) An amount equal to any income of the local authority arising from an investment or other use of borrowed moneys in respect of which the authority are required under paragraph 3 below to debit loan charges to the account shall be carried to the credit of the account.
- (5) For any year, the local authority may, with the consent of the Secretary of State, carry to the credit of the account, in addition to the amounts required by the foregoing provisions of this Schedule, such further amounts, if any, as they think fit.

#### Textual Amendments

**F24** Sch. 15 para. 2(1)(f) repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4

#### Marginal Citations

**M12** 1975 c. 30.

### *Debits*

- 3 —Subject to paragraph 4 of this Schedule, for each year a local authority shall debit to the housing revenue account amounts equal to—
- (a) the loan charges which the local authority are liable to pay for that year in respect of money borrowed by a local authority for the purpose of—
- (i) the provision by them after 12th February 1919 of housing accommodation under the enactments referred to in paragraph 1(1)(a),
- (ii) the provision or improvement by them of dwellings in accordance with improvement proposals approved by the Secretary of State under section 2 of the Housing (Scotland) Act 1949 or under section 105 of the<sup>M13</sup>Housing (Scotland) Act 1950 or under section 13 of the Act of 1968,
- (iii) meeting expenditure on the repair of houses and other property to which the account relates,
- (iv) the improvement of amenities of residential areas under section 251 on land to which the account relates,
- (v) the alteration, enlargement or improvement under section 2(3) of any house:

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Provided that a local authority may, with the approval of the Secretary of State, debit to the account any payments, of which the amount and period over which they are payable have been approved by him, to meet outstanding capital debt in respect of any house which, being a house to which the account related—

- (a) was demolished after 27th July 1972; or
- (b) was disposed of after 25th May 1978;
- (b) the taxes, feuduties, rents and other charges which the local authority are liable to pay for that year in respect of houses and other property to which the account relates;
- (c) the expenditure incurred by the local authority for that year in respect of the repair, maintenance, supervision and management of houses and other property to which the account relates, other than the expenditure incurred by them in the administration of a rent rebate scheme;
- (d) the expenditure incurred by the local authority for that year in respect of all such buildings as are referred to in paragraph 1(1)(e);
- (e) the arrears of rent which have been written off in that year as irrecoverable, and the income receivable from any houses to which the account relates during any period in that year when they were not let;
- (f) any payments made by the local authority to another local authority or a development corporation in pursuance of any overspill agreement, being payments towards expenditure which, if it had been incurred by the first-mentioned authority, would have been debited by them to their housing revenue account in pursuance of this paragraph;
- (g) such other expenditure incurred by the local authority as the Secretary of State directs shall be debited to the housing revenue account.

#### Marginal Citations

M13 1950 c. 34.

4 —A local authority shall not debit to the housing revenue account amounts equal to—

- (a) expenditure on the provision of anything under section 3 or 5 (which relate respectively to the powers of a local authority to provide shops, etc., and laundry facilities) or the supply of anything under section 4 (which relates to the power of a local authority to provide furniture, etc.), or
- (b) any part of expenditure attributable to site works and services of a house or houses or other property to which the housing revenue account relates which exceeds the expenditure required for the provision of the house or houses or other property:

Provided that nothing in sub-paragraph (a) shall apply to expenditure on the provision of—

- (i) anything referred to in paragraphs (a) and (b) of section 211(1) in respect of which the local authority are required to make a service charge;
    - (ii) any garage, car-port or other car-parking facilities provided by the local authority under the terms of the tenancy of a house,
- and the exclusion from the housing revenue account of expenditure on the supply or provision of anything under sections 4 or 5 shall not extend to such expenditure when incurred in relation to a hostel or a lodging-house.

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*[<sup>F25</sup> Provision of welfare services*

**Textual Amendments**

**F25** Sch. 15 para. 4A and crossnote inserted (retrospectively) by 1993 c. 28, ss. 150, 188(2)(b).

- <sup>F26</sup>4A Where in any year a local authority provide welfare services under section 5A, they may—
- (a) carry to the credit of the housing revenue account an amount equal to the whole or any part of the income of the authority for the year from charges in respect of the provision of those services;
  - (b) carry to the debit of the account an amount equal to the whole or any part of the expenditure of the authority for the year in respect of the provision of those services.]

**Textual Amendments**

**F26** Sch. 15 para. 4A inserted (retrospectively) by 1993 c. 28, ss.150, 188(2)(b).

*Supplemental*

- 5 —Any requirement of this Schedule as respects any amount to be debited or credited to the account may be met by taking in the first instance an estimate of the amount, and by making adjustments in the account for a later year when the amount is more accurately known or is finally ascertained.
- 6 —A local authority may, with the consent of the Secretary of State, exclude from the housing revenue account any of the items of income or expenditure mentioned in the foregoing provisions of this Schedule, or may with such consent include any items of income or expenditure not mentioned in those foregoing provisions.
- 7 —Where it appears to the Secretary of State that amounts in respect of any items of income or expenditure other than those mentioned in the foregoing provisions of this Schedule ought properly to be credited or debited to a housing revenue account, or that amounts in respect of any of the items of income and expenditure mentioned in the foregoing provisions of this Schedule which ought properly to have been credited or debited to the account have not been so credited or debited, or that any amounts have been improperly credited or debited to the account, he may, after consultation with the local authority, give directions for the appropriate credits or debits to be made or for the rectification of the account, as the case may require.
- 8 —The Secretary of State may direct that items of income or expenditure, either generally or of a specific category, shall be included in or excluded from the account.
- 9 (1) If at any time a credit balance is shown in the housing revenue account, the whole or part of it may be made available for any purpose for which the general fund of the local authority maintained under section 93 of the Local Government (Scotland) Act 1973 may lawfully be applied.
- (2) If for any year a deficit is shown in the said account, the local authority shall carry to the credit of the account a [<sup>F27</sup>contribution out of the said general rate fund] of an amount equal to the deficit.

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**Textual Amendments**

**F27** Words substituted by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\), s. 72\(1\), Sch. 8 para. 10](#)

- 10 —References in this Schedule to houses and other property to which the housing revenue account of a local authority relates shall be construed as references to houses, buildings, land and dwellings in respect of which the authority are required by section 203 and Part I of this Schedule to keep the account.

SCHEDULE 16

Section 207(3).

THE SLUM CLEARANCE REVENUE ACCOUNT

*Credits*

- 1 —For each year a local authority shall carry to the credit of the slum clearance revenue account amounts equal to—
- (a) the income from the rents, feuduties and other charges in respect of houses and other property to which the account relates;
  - (b) ..... <sup>F28</sup>
  - (c) any income from the investment or other use of capital obtained from the disposal of houses and other property to which the account relates;
  - (d) any expenses incurred by the local authority in the demolition of a building to which the account relates which they have recovered from the owner of the building;
  - (e) such other income of the local authority as the Secretary of State may direct.

**Textual Amendments**

**F28** [Sch. 16 para. 1\(b\)](#) repealed by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\), ss. 67\(8\), 72\(3\), Sch. 10](#)

- 2 —Where for any year a deficit is shown in the account, the local authority shall carry to the credit of the account in respect of that year an amount equal to the amount of the deficit.

*Debits*

- 3 —For each year a local authority shall debit to the slum clearance revenue account amounts equal to—
- (a) the loan charges which the local authority are liable to pay for that year referable to the amount of expenditure incurred by the local authority which falls within section 207(2);
  - (b) the taxes, feuduties, rents and other charges which the local authority are liable to pay for that year in respect of houses and other property to which the account relates;
  - (c) the expenditure incurred by the local authority for that year in respect of the repair, maintenance, supervision and management of houses and other property to which the account relates;

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- (d) the expenditure incurred by the local authority for that year in respect of the purchase, demolition, and clearance of sites of houses and other property to which the account relates where that expenditure is not met from capital;
- (e) the arrears of rent which have been written off in that year as irrecoverable and the income receivable from any houses to which the account relates during any period in that year when they were not let;
- (f) such other expenditure incurred by the local authority as the Secretary of State directs.

*Supplemental*

- 4 —Any surplus shown in a slum clearance revenue account at the end of a year shall be credited to the general fund kept under section 93 of the <sup>M14</sup>Local Government (Scotland) Act 1973.

**Marginal Citations**

M14 1973 c.65.

- 5 —A local authority may, with the consent of the Secretary of State, exclude from the slum clearance revenue account any of the items of income or expenditure mentioned in the foregoing provisions of this Schedule, or may with such consent include any items of income or expenditure not mentioned in those foregoing provisions.
- 6 —The Secretary of State may direct that items of income or expenditure either generally or of a specific category, shall be included in or excluded from the slum clearance revenue account.

F29 SCHEDULE 17

Section 214(8).

**Textual Amendments**

F29 Sch. 17 repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3

F30 SCHEDULE 18

Section 244(6), (7) and (11).

**Textual Amendments**

F30 Sch. 18 repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3



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## F<sup>31</sup>SCHEDULE 19

Section 246(5).

### Textual Amendments

**F31** Sch. 19 repealed (1.4.2010) by Housing (Scotland) Act 2006 (asp 1), s. 195(3), **sch. 7** (with s. 193); S.S.I. 2009/122, art. 3

## SCHEDULE 20

Section 275.

### ASSISTANCE BY WAY OF REPURCHASE

#### PART I

#### THE AGREEMENT TO REPURCHASE

##### *The interest to be acquired*

- 1 In this Schedule, “the interest to be acquired” means the interest of the person entitled to assistance by way of repurchase, so far as subsisting in—
- (a) the defective dwelling, and
  - (b) any garage, outhouse, garden, yard and pertinents belonging to or usually enjoyed with the dwelling or a part of it.

##### *Request for notice of proposed terms of acquisition*

- 2 —A person who is entitled to assistance by way of repurchase may, within the period of three months beginning with the service of the notice of determination, or that period as extended, request the purchasing authority in writing to notify him of the proposed terms and conditions for their acquisition of the interest to be acquired.

##### *Authority’s notice of proposed terms*

- 3 —The purchasing authority shall, within the period of three months beginning with the making of a request under paragraph 2, serve on the person so entitled [F<sup>32</sup>an offer to purchase] in writing specifying the proposed terms and conditions including those that are reasonably necessary to enable the authority to receive a good and marketable title and stating their opinion as to the value of the interest to be acquired.

### Textual Amendments

**F32** Words substituted (*retrospectively*) by Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 72(1), **Sch. 7 para. 29**

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*Status: Point in time view as at 30/06/2011.*

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#### *Unreasonable terms*

- 4 —Where an offer to purchase is served on the person so entitled and he wishes to sell but he considers that a term or condition contained in the offer to purchase is unreasonable, he may request the authority to strike out or vary the term or condition by serving on the authority, within one month after service of the offer to purchase, a notice in writing setting out his request; and if the authority agree they shall accordingly serve an amended offer to purchase within one month of service of the said notice setting out the request.

#### *Appeal*

- 5 —A person so entitled who is aggrieved by the refusal of an authority to agree to strike out or vary a term or condition or by their failure timeously to serve an amended offer to purchase may within one month of the refusal or failure apply by way of summary application to the sheriff for determination of the matter; and the sheriff may, as he thinks fit, uphold the term or condition or strike it out or vary it and where his determination results in a variation of the terms or conditions of the offer to purchase he shall order the authority to serve on the person entitled an amended offer to purchase within one month thereafter.

#### *Notice of acceptance*

- 6 —The person so entitled may at any time within the period of six months beginning with—
- (a) the service of the offer to purchase by the authority; or
  - (b) the service of an amended offer to purchase under paragraph 4; or
  - (c) the date of the determination of the sheriff;
- serve a notice of acceptance on the authority.

#### *Extensions*

- 7 —The authority shall, if there are reasonable grounds for doing so, by notice in writing served on the person so entitled, extend (or further extend) the period within which—
- (a) under paragraph 2, he may request them to notify him of the terms and conditions proposed for their acquisition of the interest to be acquired;
  - (b) under paragraph 4, he may request them to strike out or vary the term or condition;
  - (c) under paragraph 5, he may apply to the sheriff for determination of a matter; or
  - (d) under paragraph 6, he may serve a notice of acceptance on them;
- whether or not the period has expired.

#### *Interest acquired to be treated as if acquired under Part I*

- 8 —An interest acquired by a local authority under this Part of this Schedule shall be treated as acquired under section 9.

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## PART II

### PRICE PAYABLE AND VALUATION

#### *The price*

- 9 (1) The price payable for the acquisition of an interest in pursuance of this Part is 95 per cent. of the value of the interest at the relevant time.
- (2) In this Schedule, “the relevant time” means the time at which the notice under paragraph 3 (authority’s notice of proposed terms of acquisition) is served on the person entitled to assistance.

#### *The value*

- 10 (1) For the purposes of this Schedule, the value of an interest at the relevant time is the amount which, at that time, would be realised by a disposal of the interest on the open market by a willing seller to a person other than the purchasing authority on the following assumptions—
- (a) that none of the defective dwellings to which the designation in question relates is affected by the qualifying defect;
  - (b) that no liability has arisen under the provisions in section 72;
  - (c) that no obligation to acquire the interest arises under this Part; and
  - (d) that (subject to the preceding paragraphs) the seller is selling with and subject to the rights and burdens with and subject to which the disposal is to be made.
- (2) Where the value of an interest falls to be considered at a time later than the relevant time and there has been since the relevant time a material change in the circumstances affecting the value of the interest, the value at the relevant time shall be determined on the further assumption that the change had occurred before the relevant time.
- (3) In determining the value of an interest no account shall be taken of any right to the grant of a tenancy under section 282 (former owner-occupier) or section 283 (former statutory tenant).

#### *Determination of value*

- 11 (1) Any question arising under this Schedule as to the value of an interest in a defective dwelling shall be determined by the district valuer in accordance with this paragraph.
- (2) The person entitled to assistance or the purchasing authority may require that value to be determined or redetermined by notice in writing served on the district valuer—
- (a) within the period beginning with the service on the person entitled to assistance of an offer to purchase under paragraph 3 (authority’s notice of proposed terms of acquisition) and ending with the conclusion of missives; or
  - (b) after the end of that period but before the parties enter into an agreement for the acquisition of the interest of the person so entitled, if there is a material change in the circumstances affecting the value of the interest.
- (3) A person serving notice on the district valuer under this paragraph shall serve notice in writing of that fact on the other party.

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- (4) Before making a determination in pursuance of this paragraph, the district valuer shall consider any representation made to him, within four weeks of the service of the notice under this paragraph, by the person entitled to assistance or the purchasing authority.

*Certain grant conditions cease to have effect*

- 12 —Where the interest to be acquired is or includes a house in relation to which a grant has been made under Part XIII—
- (a) observance with respect to the house of any of the conditions specified in section 246 (conditions to be observed with respect to a house in respect of which a grant has been made) shall cease to be required with effect from the time of disposal of the interest and paragraph 6 of Schedule 19 (requirements as to records when observance of conditions ceases to be required) shall apply as it applies in the case there mentioned; and
  - (b) the owner for the time being of the house shall not be liable to make in relation to the grant any payment under Schedule 19 (consequences of breach of conditions) unless the liability to do so arises from a demand made before the time of disposal of the interest.

SCHEDULE 21

Section 294.

DWELLINGS INCLUDED IN MORE THAN ONE DESIGNATION

*Introductory*

- 1 —This Schedule applies in relation to a defective dwelling where the building that the dwelling consists of or includes falls within two or more designations under section 257 (designation by Secretary of State) or 287 (designation under local scheme).

*Cases in which later designation to be disregarded*

- 2 —Where a person is already eligible for assistance in respect of a defective dwelling at a time when another designation comes into operation, the later designation shall be disregarded if—
- (a) he would not be eligible for assistance in respect of the dwelling by virtue of that designation, or
  - (b) he is by virtue of an earlier designation entitled to assistance by way of repurchase in respect of the dwelling.

*In other cases any applicable designation may be relied on*

- 3 —Where a person is eligible for assistance in respect of a defective dwelling and there are two or more applicable designations, this Part has effect in relation to the dwelling as if—
- (a) references to the designation were to any applicable designation;
  - (b) references to the provision by virtue of which it is a defective dwelling were to any provision under which an applicable designation was made;

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- (c) references to the qualifying defect were to any qualifying defect described in an applicable designation;
- (d) references to the period within which persons may seek assistance under this Part were to any period specified for that purpose in any applicable designation; and
- (e) the reference in section 271(1)(c) (amount of reinstatement grant) to the maximum amount permitted to be taken into account for the purposes of that section were to the aggregate of the maximum amounts for each applicable designation.

*Procedure to be followed where later designation comes into operation*

- 4 —The following provisions of this Schedule apply where—
- (a) notice has been given to a person under section 264 (determination of eligibility) stating that he is in the opinion of the local authority eligible for assistance in respect of a defective dwelling, and
  - (b) after the notice has been given another designation comes into operation designating a class within which the building that consists of or includes the dwelling falls.
- 5 (1) The local authority shall, as soon as reasonably practicable, give him notice in writing stating whether in their opinion the new designation falls to be disregarded in accordance with paragraph 2.
- (2) If in their opinion it is to be disregarded the notice shall state the reasons for their view.
- 6 (1) This paragraph applies where it appears to the authority that the new designation does not fall to be disregarded.
- (2) They shall forthwith give him notice in writing—
- (a) stating the effect of the new designation and of paragraph 3 (new designation may be relied on) and sub-paragraph (3) below (entitlement to be redetermined), and
  - (b) informing him that he has the right to make a claim under section 265(2) (claim that assistance by way of reinstatement grant is inappropriate in his case).
- (3) They shall as soon as reasonably practicable—
- (a) make a further determination under section 265(1) (determination of form of assistance to which person is entitled), taking account of the new designation, and
  - (b) give a further notice of determination in place of the previous notice;
- and where the determination is that he is entitled to assistance by way of repurchase, the notice shall state the effect of paragraph 7 (cases where reinstatement work already begun or contracted for).
- 7 (1) This paragraph applies where a person entitled to assistance by way of reinstatement grant is given a further notice of entitlement under paragraph 6 stating that he is entitled to assistance by way of repurchase; and “the reinstatement work” means the work stated in the previous notice or in a notice under section 272 (change of work required).
- (2) Where in such a case—

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- (a) he satisfies the authority that he has, before the further notice was received, entered into a contract for the provision of services or materials for any of the reinstatement work, or
  - (b) any such work has been carried out before the further notice was received, and has been carried out to the satisfaction of the appropriate authority,
- the previous notice (and any notice under section 272 (change of work required)) continues to have effect for the purposes of reinstatement grant in relation to the reinstatement work or, in a case within paragraph (b), such of that work as has been carried out as mentioned in that paragraph, and the authority shall pay reinstatement grant accordingly.
- (3) Where in a case within sub-paragraph (2) the reinstatement work is not completed but part of the work is carried out to the satisfaction of the appropriate authority within the period stated in the notice in question—
- (a) the amount of reinstatement grant payable in respect of that part of the work shall be an amount equal to the maximum instalment of grant payable under section 273(2) (instalments not to exceed appropriate percentage of cost of work completed), and
  - (b) section 274 (repayment of grant in event of failure to complete work) does not apply in relation to reinstatement grant paid in respect of that part of the work.

## SCHEDULE 22

Section 339.

### TRANSITIONAL PROVISIONS AND SAVINGS

#### PART I

#### TRANSITIONAL PROVISIONS

##### *General*

- 1 —The re-enactment of provisions in, and the consequent repeal of those provisions by this Act, does not affect the continuity of those provisions.
- 2 —In so far as—
- (a) any requirement, prohibition, determination, order or regulation made by virtue of an enactment repealed by this Act, or
  - (b) any direction or notice given by virtue of such an enactment, or
  - (c) any proceedings begun by virtue of such an enactment, or
  - (d) anything done or having effect as if done,
- could, if a corresponding enactment in this Act were in force at the relevant time, have been made, given, begun or done by virtue of the corresponding enactment, it shall, if effective immediately before the corresponding enactment comes into force, continue to have effect thereafter as if made, given, begun or done by virtue of that corresponding enactment.
- 3 —Where any enactment passed before this Act, or any instrument or document refers either expressly or by implication to an enactment repealed by this Act the

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reference shall (subject to its context) be construed as or as including a reference to the corresponding provision of this Act.

- 4 —Where any period of time specified in any enactment repealed by this Act is current at the commencement of this Act, this Act has effect as if its corresponding provision had been in force when that period began to run.
- 5 (1) The general rule is that the provisions of this Act apply, in accordance with the foregoing paragraphs, to matters arising before the commencement of this Act as to matters arising after that commencement.
- (2) The general rule has effect subject to any express provision to the contrary, either in this Schedule or in connection with the substantive provision in question.
- (3) The general rule does not mean that the provisions of this Act apply to cases to which the corresponding repealed provisions did not apply by virtue of transitional provision made in connection with the commencement of the repealed provisions (such transitional provisions, if not specifically reproduced, are saved by paragraph 8).
- (4) The general rule does not apply so far as a provision of this Act gives effect to an amendment made in pursuance of a recommendation of the Scottish Law Commission.

#### *Persons holding office*

- 6 —Any person who at the commencement of this Act is holding office or acting or serving under or by virtue of any enactment repealed by this Act or by the Act of 1966 shall continue to hold his office or to act or serve as if he had been appointed under this Act.

#### *Security of tenure of tenants of regional councils, etc.*

- 7 —Notwithstanding the repeal by this Act of section 16(2) and (3)(b) of the <sup>M15</sup>Tenants' Rights, Etc (Scotland) Act 1980, those provisions shall continue to have effect for the purposes of paragraph 4 of the <sup>M16</sup>Housing (Scotland) Act 1986 (Consequential, Transitional and Supplementary Provisions) Order 1986 (application of transitional provisions relating to secure tenant's right to written lease to tenants of regional councils, police authorities and fire authorities).

#### **Marginal Citations**

**M15** 1980 c.52.

**M16** S.I. 1986/2139

## **PART II**

### **SAVINGS**

#### *General saving for old transitional provisions*

- 8 —The repeal by this Act of a provision relating to the coming into force of a provision it reproduces does not affect the operation of that provision, in so far as

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it is not specifically reproduced but remains capable of having effect, in relation to the corresponding provision of this Act.

*General saving for old savings*

- 9 (1) The repeal by this Act of an enactment previously repealed subject to savings does not affect the continued operation of those savings.
- (2) The repeal by this Act of a saving made on the previous repeal of an enactment does not affect the operation of the saving in so far as it is not specifically reproduced but remains capable of having effect.

*Transfers under section 14 of the Housing (Homeless Persons) Act 1977*

- 10 (1) The repeal by this Act of section 14 of the Housing (Homeless Persons) Act 1977 (transfers of property and staff) does not affect the operation of any order previously made under that section.
- (2) The transfer of an employee in pursuance of such an order shall be treated—
- <sup>F33</sup>(a) .....
- (b) for the purposes of [<sup>F34</sup>Chapter I of Part XIV of the Employment Rights Act 1996] (continuity of employment) as occurring on the transfer of an undertaking.

**Textual Amendments**

**F33** Sch. 22 para. 10(2)(a) repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, Sch. 3 Pt. I

**F34** Words in Sch. 22 para. 10(2)(b) substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, Sch. 1 para. 33

*Use of existing forms, etc.*

- 11 —Any document made, served or issued on or after this Act comes into force which contains a reference to an enactment repealed by this Act shall be construed, except so far as a contrary intention appears, as referring or, as the context may require, including a reference to the corresponding provision of this Act.

*Secure tenant: reimbursement of cost of work done before 3rd October 1980*

- 12 —The repeal of section 24(1) of the Tenants' Rights, Etc (Scotland) Act 1980 does not affect the operation of that section in relation to works carried out before 3rd October 1980.

*Contributions under sections 106 and 121 of the Housing (Scotland) Act 1950 (c.34) and section 14 of the Housing (Scotland) Act 1962 (c.28)*

- 13 —Contributions remain payable by the Secretary of State under sections 106 and 121 of the Housing (Scotland) Act 1950 and section 14 of the Housing (Scotland) Act 1962 (contributions payable annually for periods of between 20 and 60 years).



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SCHEDULE 23

Section 339.

MINOR AND CONSEQUENTIAL AMENDMENTS

*General*

F35<sup>1</sup> .....

**Textual Amendments**

**F35** Sch. 23 para. 1 repealed (1.4.2009) by Housing (Scotland) Act 2006 (asp 1), s. 195(3), **sch. 7** (with s. 193); S.S.I. 2009/122, art. 3

2 —Any reference in any previous enactment to “tolerable standard” as defined in section 2 of the Housing (Scotland) Act 1969 or in section 14 of the Housing (Scotland) Act 1969 or in section 14 of the Housing (Scotland) Act 1974 is a reference to the tolerable standard as defined in section 86.

*The Crofters Holdings (Scotland) Act 1886 (c. 29)*

3 —In the Schedule, in paragraph 1A, for the words “Part II of the Housing (Scotland) Act 1974” substitute the words “ Part I of Schedule 8 to the Housing (Scotland) Act 1987 ”.

*The Sheriff Courts (Scotland) Act 1907 (c. 51)*

4 —In the Sheriff Courts (Scotland) Act 1907, after section 38 there shall be inserted the following section—

**“38A Notice of termination in respect of dwelling-houses.**

—Any notice of termination of tenancy or notice of removal given under section 37 or 38 above in respect of a dwelling-house, on or after 2nd December 1974, shall be in writing and shall contain such information as may be prescribed by virtue of section 112 of the Rent (Scotland) Act 1984, and Rule 112 of Schedule 1 to this Act shall no longer apply to any such notice under section 37 above.”

*The Crofters (Scotland) Act 1955 (c. 21)*

5 —In Schedule 5, in paragraph 1A, for the words “Part II of the Housing (Scotland) Act 1974” substitute the words “ Part I of Schedule 8 to the Housing (Scotland) Act 1987 ”.

*The Clean Air Act 1956 (c. 52)*

F36<sup>6</sup> .....

**Textual Amendments**

**F36** Sch. 23 para. 6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch. 6**.

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The Coal Mining (Subsidence) Act 1957 (c. 59)

F377

Textual Amendments
F37 Sch. 23 para. 7 repealed (30.11.1991) by Coal Mining Subsidence Act 1991 (c. 45, SIF 86), s. 53(2), Sch. 8(with Sch. 7); S.I. 1991/2508, art.2

The Building (Scotland) Act 1959 (c. 24)

F388

Textual Amendments
F38 Sch. 23 para. 8 repealed (1.5.2005) by Building (Scotland) Act 2003 (asp 8), s. 59(1), sch. 6 para. 17 (with s. 53); S.S.I. 2004/404, art. 2(1)

The Pipe-lines Act 1962 (c. 58)

9 —In section 30(2), for the words “181”, “1966” and “Part III” substitute the words “ 127 ”, “ 1987 ” and “ Part VI ” respectively.

The Land Compensation (Scotland) Act 1963 (c. 51)

10 (1) In section 15(7), for paragraph (d) substitute the following paragraph—
“(d) paragraph 4 of Schedule 1 to the Housing (Scotland) Act 1987.”.
(2) For Schedule 2 (acquisition of houses as being unfit for human habitation), substitute the following Schedule—

“SCHEDULE 2

ACQUISITION OF HOUSES WHICH DO NOT MEET THE TOLERABLE STANDARD

Acquisitions to which this Schedule applies

- 1 (1) This Schedule applies to a compulsory acquisition of a description mentioned in sub-paragraph (2) where the land in question comprises a house which, in the opinion of the appropriate local authority does not meet the tolerable standard.
(2) The compulsory acquisitions referred to are—
(a) an acquisition under Part VI of the Town and Country Planning (Scotland) Act 1972, or
(b) an acquisition under section 13 of the Housing and Town Development (Scotland) Act 1957, or
(c) an acquisition in pursuance of Part IX of the Town and Country Planning (Scotland) Act 1972, or

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- (d) an acquisition of land within the area designated by an order under section 1 of the New Towns (Scotland) Act 1968 as the site of a new town, or
- (e) an acquisition by a development corporation or a local roads authority or the Secretary of State under the New Towns (Scotland) Act 1968 or under any enactment as applied by any provision of that Act, or
- (f) an acquisition by means of an order under section 141 of the Local Government, Planning and Land Act 1980 vesting land in an urban development corporation; or
- (g) an acquisition by such a corporation under section 142 of that Act.

#### *Procedure*

- 2 (1) The local authority may make and submit to the Secretary of State an order, in such form as may be prescribed by regulations made under section 330 of the Housing (Scotland) Act 1987, declaring that the house does not meet the tolerable standard and if—
  - (a) that order is confirmed by the Secretary of State, either before or concurrently with the confirmation of a compulsory purchase order for the acquisition of the land, or
  - (b) in a case where the acquisition is in pursuance of a notice to treat deemed to have been served in consequence of the service of a notice under section 170 of the Town and Country Planning (Scotland) Act 1972 or the provisions of that section as applied by or under any other enactment or in consequence of the service of a notice under section 11 of the New Towns (Scotland) Act 1968 or under section 182 of the Town and Country Planning (Scotland) Act 1972, the order is made before the date on which the notice to treat is deemed to have been served and is subsequently confirmed by the Secretary of State,section 305 and paragraph 12(2) and (3) of Schedule 8 to the Housing (Scotland) Act 1987 (which relate respectively to payments in respect of certain well-maintained houses under Part XV and to compensation for compulsory acquisition under Part IV of the Housing (Scotland) Act 1987) shall apply as if the house had been purchased under Part IV as not meeting the tolerable standard, and as if any reference in that section and paragraph to the local authority were a reference to the acquiring authority.
- (2) Before submitting to the Secretary of State an order under this paragraph, the local authority by whom the order was made shall serve on every owner, and (so far as it is reasonably practicable to ascertain such persons) on the superior of, and the holder of every heritable security over, the land or any part thereof, a notice in such form as may be prescribed as mentioned in the last preceding sub-paragraph, stating the effect of the order and that it is about to be submitted to the Secretary of State for confirmation, and specifying the time within which, and the manner in which, objection thereto can be made.
- (3) If no objection is duly made by any of the persons on whom notices are required to be served, or if all objections so made are withdrawn, the Secretary of State may, if he thinks fit, confirm the order; but in any

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other case he shall, before confirming the order, consider any objection not withdrawn, and shall, if either the person by whom the objection was made or the local authority so desires, afford to that person and the authority an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

- (4) Section 86 of the Housing (Scotland) Act 1987 shall have effect in determining for the purposes of this paragraph whether a house meets the tolerable standard as it has effect in so determining for the purposes of that Act.
- (5) In this paragraph “appropriate local authority” means a local authority who, in relation to the area in which the land in question is situated, are a local authority for the purposes of the provisions of Part IV of the Housing (Scotland) Act 1987 relating to housing action areas; and “owner,” in relation to any land, includes any person who under the Lands Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking and includes also a lessee under a lease the unexpired period of which exceeds three years.

*Amount of compensation*

- 3 (1) Where in relation to a compulsory acquisition, section 120(2) to (4) or paragraph 12(2) and (3) of Schedule 8 to the Housing (Scotland) Act 1987 (which relate respectively to the compensation to be paid on the compulsory acquisition of closed houses, and of houses not meeting the tolerable standard) apply (whether by virtue of that Act or of an order under paragraph 2 of this Schedule) and—
- (a) the relevant land consists of or includes the whole or part of a house (in this paragraph referred to as “the relevant house”) and, on the date of the making of the compulsory purchase order in pursuance of which the acquisition is effected, the person then entitled to the relevant interest was, in right of that interest, in occupation of the relevant house or part thereof as a private dwelling, and
  - (b) that person either continues, on the date of service of the notice to treat, to be entitled to the relevant interest, or, if he has died before that date, continued to be entitled to that interest immediately before his death,

the following provisions of this paragraph shall apply in relation to the acquisition; and in those provisions “the dwelling” means so much of the relevant house as the said person occupied as aforesaid.

- (2) Subject to the next following sub-paragraph, the amount of the compensation payable in respect of the acquisition of the relevant interest shall not in any event be less than the gross annual value of the dwelling.
- (3) Where a payment falls to be made under section 304 or 305 of the Housing (Scotland) Act 1987 to the person entitled to the relevant interest, and that payment is attributable to the relevant house, any reference in the last preceding sub-paragraph to the amount of the compensation payable in respect of the acquisition of the relevant interest shall be construed as a reference to the aggregate of that amount and of the amount of the payment.

*Status: Point in time view as at 30/06/2011.*

**Changes to legislation:** *Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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) For the purposes of this paragraph the gross annual value of the dwelling shall be determined as follows—
- (a) if the dwelling constitutes the whole of the relevant house, the gross annual value of the dwelling shall be taken to be the value which, on the date of service of the notice to treat, is shown in the valuation roll then in force as the gross annual value of that house for rating purposes;
  - (b) if the dwelling is only part of the relevant house, an apportionment shall be made of the gross annual value of the relevant house for rating purposes, as shown in the valuation roll in force on the date of service of the notice to treat, and the gross annual value of the dwelling shall be taken to be the amount which, on such an apportionment, is properly attributable to the dwelling.
- (5) Any reference in this paragraph to the compensation payable in respect of the acquisition of the relevant interest shall be construed as excluding so much (if any) of that compensation as is attributable to disturbance or to severance or injurious affection.
- (6) Nothing in this paragraph shall affect the amount which is to be taken for the purposes of section 20 of this Act (which relates to the consideration payable for the discharge of land from feu-duty and incumbrances) as the amount of the compensation payable in respect of the acquisition of the relevant interest.
- (7) In the application of this paragraph to any lands and heritages whose net annual value is ascertained under subsection (8) of section 6 of the Valuation and Rating (Scotland) Act 1956 (and for which there is therefore no gross annual value shown in the valuation roll)—
- (a) in sub-paragraph (2) above, for the word “gross” there shall be substituted the words “1.25 times the net”; and
  - (b) in sub-paragraph (4) above, for the word “gross”, wherever it occurs, there shall be substituted the word “net”.

#### *Interpretation*

- 4 —This Schedule shall be construed as one with Parts IV and XV of the Housing (Scotland) Act 1987.”.

#### *The Local Government (Scotland) Act 1966 (c.51)*

- 11 —In section 46(1) (general interpretation), in the definition of “housing revenue account”, for the words “23 of the Housing (Financial Provisions) (Scotland) Act 1972”, substitute the words “203 of the Housing (Scotland) Act 1987”.

#### *The National Loans Act 1968 (c.13)*

- 12 —In Schedule 4, for the words “78” and “1950” substitute the words “231” and “1987” respectively.

*Status: Point in time view as at 30/06/2011.*

*Changes to legislation: Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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)*

*The New Towns (Scotland) Act 1968 (c.16)*

- 13 (1) In section 6, subsection (6) shall cease to have effect.
- (2) After section 38A of the New Towns (Scotland) Act 1968 (as inserted by section 4(2) of the Statutory Corporations (Financial Provisions) Act 1974) there shall be inserted the following section—

**“38B Disposal of surplus funds of development corporations.**

- (1) Where it appears to the Secretary of State, after consultation with the Treasury and the development corporation, that a development corporation have a surplus, whether on capital or on revenue account, after making allowance by way of transfer to reserve or otherwise for their future requirements, the development corporation shall, if the Secretary of State after such consultation as aforesaid so directs, pay to the Secretary of State such sum not exceeding the amount of that surplus as may be specified in the direction; and any sum received by the Secretary of State under this section shall, subject to subsection (3) of this section, be paid into the Consolidated Fund.
- (2) The whole or part of any payment made to the Secretary of State by a development corporation under subsection (1) above shall, if the Secretary of State with the approval of the Treasury so determines, be treated as made by way of repayment of such part of the principal of advances under section 37(1) of this Act, and as made in respect of the repayments due at such times, as may be so determined.
- (3) Any sum treated under subsection (2) above as a repayment of a loan shall be paid by the Secretary of State into the National Loans Fund.”

*The Clean Air Act 1968 (c.62)*

F39 14 .....

**Textual Amendments**

**F39** Sch. 23 para. 14 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6.

*The Post Office Act 1969 (c.48)*

- 15 —In Schedule 4—
- (a) in paragraph 83(1), for “II of the Housing (Scotland) Act 1974” substitute “IV of the Housing (Scotland) Act 1987”;
- (b) in paragraph 83(2), for “section 33 of the Housing (Scotland) Act 1974”, substitute “paragraph 9 of Schedule 8 to the Housing (Scotland) Act 1987”;
- (c) in paragraph 83(3), for “33(4) of the Housing (Scotland) Act 1974” substitute “paragraph 9(4) of Schedule 8 to the Housing (Scotland) Act 1987”;
- (d) in paragraph 88(3), for “208 of the Housing (Scotland) Act 1966” substitute “section 338 of the Housing (Scotland) Act 1987”.

*Status: Point in time view as at 30/06/2011.*

*Changes to legislation: Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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)*

*The Local Authority Social Services Act 1970 (c.42)*

- 16 —In Schedule 1, at the end insert in column 1 the words “Housing (Scotland) Act 1987 (c. 26) Section 38(b)” and in column 2 the words “Co-operation in relation to homeless persons and persons threatened with homelessness.”.

*The Chronically Sick and Disabled Persons Act 1970 (c.44)*

- 17 —In section 3(2), for the words “VII”, “1966” and “137” substitute the words “I”, “1987” and “1” respectively.

*The Town and Country Planning (Scotland) Act 1972 (c.52)*

F40 18 .....

**Textual Amendments**

**F40** Sch. 23 para. 18 repealed (27.5.1997) by 1997 c. 11, ss. 4, 6(2), Sch. 1 Pt. I

*The Land Compensation (Scotland) Act 1973 (c.56)*

- 19 (1) In section 27(1)(f), for the words “15(2) of the Tenants’ Rights, Etc (Scotland) Act 1980” and “2” substitute the words “48(2) of the Housing (Scotland) Act 1987” and “3” respectively.
- (2) In section 27(7)—
- (a) in paragraph (a), for the words “II”, “1966”, “14A of the Housing (Scotland) Act 1974” substitute the words “VI”, “1987”, “88 of that Act” respectively;
  - (b) in paragraph (b), for the words “56” substitute the words “125”; and omit the words “of 1966”;
  - (c) in paragraph (c), for the words “15(4)(i)” substitute the words “117(2)(a)”; and omit the words “of 1966”;
  - (d) in paragraph (d), for the words “II of the Housing (Scotland) Act 1974” substitute the words “I of Schedule 8 to that Act”.
- (3) In section 29(7AA), for the words “14 of the Tenants’ Rights, Etc. (Scotland) Act 1980” and “2” substitute the words “47 and 48(2) of the Housing (Scotland) Act 1987” and “3” respectively.
- (4) In section 34(2), for the words from “section 20” to the end substitute the words “section 121 and paragraph 12 of Schedule 8 to the Housing (Scotland) Act 1987 and “owner occupier’s supplement” means a payment under sections 308 to 311 of that Act.”.
- (5) In section 36—
- (a) in subsection (4)(b), after the words “1968” insert the words “or section 214 of the Housing (Scotland) Act 1987”;
  - (b) in subsection (7), for the words “VII” and “1966” substitute the words “I” and “1987” respectively.
- (6) In section 38(6), for the words “1974” and “14” substitute the words “1987” and “86”.

*Status: Point in time view as at 30/06/2011.*

*Changes to legislation: Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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)*

- (7) In section 39—
- (a) in subsections 1(b) and 2(a), (b), for the words “VII” and “1966” substitute the words “ I ” and “ 1987 ” respectively;
  - (b) in subsection (6), for the words “(Financial Provisions) (Scotland) Act 1972” substitute the words “ (Scotland) Act 1987 ”.
- (8) In section 53(3), for the words “114”, “1966” and “VII” substitute the words “ 11 ”, “ 1987 ” and “ I ” respectively.
- <sup>F41</sup>(9) .....
- <sup>F41</sup>(10) .....
- (11) In section 80—
- (a) in the definition of “housing association” for the words “section 208(1) of the Housing (Scotland) Act 1966” substitute the words “ the Housing Associations Act 1985 ”;
  - (b) in the definition of “registered”, for the words from “in the register” to the end substitute the words “ under the Housing Associations Act 1985 ”.

#### Textual Amendments

**F41** Sch. 23 para. 19(9)(10) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. 1

#### *The Local Government (Scotland) Act 1973 (c.65)*

- 20 (1) In section 130—
- (a) in subsection (1), for the words “Acts 1966 to 1973” substitute the words “ Act 1987 ”;
  - (b) in subsection (2), for the words “VII” and “1966” substitute the words “ I ” and “ 1987 ”.
- (2) In section 131, subsection (2) shall cease to have effect.
- (3) In section 236(2)(d), for the words “Acts 1966 to 1973” substitute the words “ Act 1987 ”.
- (4) In Schedule 9, paragraph 73 shall cease to have effect.
- (5) In Schedule 12, paragraphs 1, 2, 5, 6 to 19 and 21 to 24 shall cease to have effect.

#### *Consumer Credit Act 1974 (c.37)*

- 21 —In section 16(1)(ff), for the words “2 of the 1978 Act or section 31 of the 1980 Act” substitute the words “ 223 or 229 of the Housing (Scotland) Act 1987 ”.

#### *Land Tenure Reform (Scotland) Act 1974 (c.38)*

- 22 —In section 8(7), for the words “Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ Housing (Scotland) Act 1987 ”.



*Status: Point in time view as at 30/06/2011.*

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*Local Government (Scotland) Act 1975 (c.30)*

F42 23 .....

**Textual Amendments**

**F42** Sch. 23 para. 23 repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4

*The National Health Service (Scotland) Act 1978 (c.29)*

- 24 —In section 100(1)—
- (a) in paragraph (a), for the words “1966” substitute the words “ 1987 ”;
  - (b) for paragraph (b) substitute the following paragraphs—
    - “(b) the Scottish Special Housing Association;
    - (c) a Housing Association or Housing Trust within the meaning of the Housing Associations Act 1985.”;
  - (c) in paragraph (c), for the word “(c)” substitute the word “ (d) ”.

*The Local Government, Planning and Land Act 1980 (c.65)*

- 25 (1) In section 152(1)(c), for the words “1 of the Homes Insulation Act 1978” substitute the words “ 252 of the Housing (Scotland) Act 1987 ”;
- (2) In section 153(1)(a), for the words “Housing (Scotland) Acts 1966 to 1978 and the Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ Housing Associations Act 1985 and the Housing (Scotland) Act 1987 ”;
- (3) In section 156(4), for the words “Parts I, II and III of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ Part III of the Housing (Scotland) Act 1987 ”.

*The Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)*

- 26 —In section 13(11), for the words “the Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ Part III of the Housing (Scotland) Act 1987 ”.

*The Local Government and Planning (Scotland) Act 1982 (c.43)*

- 27 —In section 24(2), for the words “32(1)(b) of the Housing (Financial Provisions) (Scotland) Act 1972” substitute the words “ 211(1)(b) of the Housing (Scotland) Act 1987 ”.

*The Civic Government (Scotland) Act 1982 (c.45)*

- 28 (1) In section 87(5), for the words “Part II of the Housing (Scotland) Act 1969” and “24(1) of the Housing (Scotland) Act 1969” substitute the words “ Part V of the Housing (Scotland) Act 1987 ” and “ 108 of that Act ” respectively.
- (2) In section 108(2), for the words “2 to the Housing (Scotland) Act 1969” substitute the words “ 9 to the Housing (Scotland) Act 1987 ”.

*Status: Point in time view as at 30/06/2011.*

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*The Rent (Scotland) Act 1984 (c.58)*

- 29 (1) In section 5(5), for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the Housing (Scotland) Act 1987 ”.
- (2) In section 6(8), for the words “208(1) of the Housing (Scotland) Act 1966” substitute the words “ 338 of the Housing (Scotland) Act 1987 ”.
- (3) In section 59, for the words “Subsections (1), (2) and (4) of section 62 of the Housing (Scotland) Act 1969” substitute the words “ Sections 212 and 213 of the Housing (Scotland) Act 1987 ”; and the words from “except that” to the end shall cease to have effect.
- (4) In section 63(4)—
- (a) in paragraph (f), for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the Housing (Scotland) Act 1987 ”;
  - (b) in paragraph (g), the words from “or any” to the end shall cease to have effect.
- (5) In section 66(1), for the words “23 of the Housing (Financial Provisions) (Scotland) Act 1972” substitute the words “ 203 of the Housing (Scotland) Act 1987 ”.
- (6) In section 101(2) and (3), for the words “4 to the Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ 5 to the Housing (Scotland) Act 1987 ”.
- (7) In section 106—
- (a) in subsection (1), after the words “1974” insert the words “ or Part XIII of the Housing (Scotland) Act 1987 ”;
  - (b) in subsection (2), after the words “1974” insert the words “ or section 241(2) of the Act of 1987 ”.
  - (c) in subsection (5), for the words “39(1) of the said Act of 1968” and “2 of the Housing (Scotland) Act 1969” substitute the words “ 86 of the Act of 1987 ” and “ 240 of that Act ” respectively.
- (8) In Schedule 2, Part IV—
- (a) in paragraph 4, for the words “89” and “ 1966 ” substitute the words “ 135 ” and “ 1987 ” respectively;
  - (b) in paragraph 6, for the words “VII” and “1966” substitute the words “ I ” and “ 1987 ”.

*The Housing Act 1985 (c.68)*

- 30 <sup>F43</sup>(1) .....
- (2) In section 187, in the definition of “long tenancy”, paragraph (b) shall cease to have effect.
- (3) In section 458, in the definition of “the corresponding Scottish provisions” for the words from “the Home” to the end substitute the words “ sections 222 to 228 of the Housing (Scotland) Act 1987 ”.
- (4) In Schedule 4, in paragraph 7(2)—
- (a) in the definition of “housing association”, for the words “paragraph (e) of section 10(2) of the Tenants’ Rights, Etc. (Scotland) Act 1980” and “11”

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- substitute the words “ section 61(2)(a)(vi) of the Housing (Scotland) Act 1987 ” and “ 45 ” respectively;
- (b) in the definition of “housing co-operative”, for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the said Act of 1987 ”.

#### Textual Amendments

**F43** Sch. 23 para. 30(1) repealed (20.1.1997) by 1996 c. 52, s. 227, Sch. 19 Pt. VIII; S.I. 1996/2959, art. 2

#### *The Housing Associations Act 1985 (c.69)*

- 31 (1) In section 8(1), for the words “Part I of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ Part III of the Housing (Scotland) Act 1987 ”.
- (2) In section 10(2)(b), for the words “paragraphs 2 to 7 of Schedule 1 to the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ paragraphs 1 to 8 of Schedule 2 to the Housing (Scotland) Act 1987 ”.
- (3) In section 39, in the definition of “secure tenancy” for the words “10 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 44 of the Housing (Scotland) Act 1987 ”.
- (4) In section 44(1)(b), for the words “1 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 65 of the Housing (Scotland) Act 1987 ”.
- (5) In section 45—
- (a) in subsection (2)(b), for the words “(11)(e) of section 1 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ (4)(d) and (e) of section 61 of the Housing (Scotland) Act 1987 ”;
- (b) in subsection (5), for the words “6 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 72 of the Housing (Scotland) Act 1987 ”.
- (6) In section 52(1)(f), for the words “6 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 72 of the Housing (Scotland) Act 1987 ”.
- (7) In section 59, at the end add the following subsection—
- “(5) Sections 6, 15, 320 and 329 of the Housing (Scotland) Act 1987 (general provisions with respect to housing functions of local authorities etc.) apply in relation to this section and section 61, as they apply in relation to the provisions of that Act.”
- (8) In section 69A(b), for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the Housing (Scotland) Act 1987 ”.
- (9) In section 88(5), for the words “175(2) of the Housing (Scotland) Act 1966” substitute the words “ 23 of the Housing (Scotland) Act 1987 ”.

#### *Airports Act 1986 (c.31)*

- 32 —In Schedule 2, paragraph 4, for the words “56” and “1966” substitute the words “ 125 ” and “ 1987 ”.

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## SCHEDULE 24

Section 339.

## REPEALS

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
4&5 Geo.5 c.31.	The Housing Act 1914.	The whole Act.
14 Geo.6 c.34.	The Housing (Scotland) Act 1950.	The whole Act.
2&3 Eliz.2 c.50.	The Housing (Repairs and Rents) (Scotland) Act 1954.	The whole Act.
7&8 Eliz.2 c.33.	The House Purchase and Housing Act 1959.	The whole Act.
10&11 Eliz.2 c.28.	The Housing (Scotland) Act 1962.	The whole Act.
1964 c.56.	The Housing Act 1964.	Section 101.
1966 c.49.	The Housing (Scotland) Act 1966.	The whole Act.
1967 c.20.	The Housing (Financial Provisions, Etc.) (Scotland) Act 1967.	The whole Act.
1968 c.16.	The New Towns (Scotland) Act 1968.	Section 6(6).
1968 c.31.	The Housing (Financial Provisions) (Scotland) Act 1968.	The whole Act, except sections 20, 67 and 71.
1969 c.34.	The Housing (Scotland) Act 1969.	The whole Act.
1970 c.44.	The Chronically Sick and Disabled Persons Act 1970.	Section 3(1), (2).
1971 c.76.	The Housing Act 1971.	The whole Act.
1972 c.46.	The Housing (Financial Provisions) (Scotland) Act 1972.	The whole Act, except sections 69, 78 and 81 and in Schedule 9, paragraph 31.
1973 c.5.	The Housing (Amendment) Act 1973.	The whole Act.
1973 c.65.	The Local Government (Scotland) Act 1973.	Section 131(2), in Schedule 9, paragraph 73, in Schedule 12 paragraphs 1, 2, 5, 6 to 19 and 21 to 24.
1974 c.44.	The Housing Act 1974.	The whole Act, except sections 11, 18(2)-(6), 129, 130 and 131, Schedule 3 Part III, and Schedule 13 paragraphs 42 to 46.

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1974 c.45.	The Housing (Scotland) Act 1974.	The whole Act.
1975 c.21.	The Criminal Procedure (Scotland) Act 1975.	In Schedules 7C and 7D, the entries relating to the Housing (Scotland) Act 1966.
1975 c.28.	The Housing Rents and Subsidies (Scotland) Act 1975.	The whole Act, except paragraphs 9 and 10 of Schedule 3.
1975 c.30.	The Local Government (Scotland) Act 1975.	In Schedule 3, paragraph 27; in paragraph 31 in the definition of “security” the words from “a local bond” to “enactment or”.
1977 c.48.	The Housing (Homeless Persons) Act 1977.	The whole Act.
1978 c.14.	The Housing (Financial Provisions (Scotland) Act 1978.	The whole Act, except paragraphs 12 to 14 and 39 of Schedule 2.
1978 c.27.	The Home Purchase Assistance and Housing Corporation Guarantee Act 1978.	The whole Act.
1978 c.48.	The Homes Insulation Act 1978.	The whole Act.
1979 c.33.	The Land Registration (Scotland) Act 1979.	In Schedule 2, paragraphs 5 and 6.
1980 c.51.	The Housing Act 1980.	The whole Act.
1980 c.52.	The Tenants’ Rights, Etc (Scotland) Act 1980.	Parts I to III and Part V except section 74; Part VI except section 86; Schedules A1 and 1 to 4.
1980 c.61.	The Tenants’ Rights, Etc. (Scotland) Amendment Act 1980.	The whole Act.
1981 c.23.	The Local Government (Miscellaneous Provisions) (Scotland) Act 1981.	Sections 21 to 23, 34 and 35; in Schedule 2, paragraphs 11, 15, 35 and 36; in Schedule 3, paragraphs 8, 9, 10, 29 to 31 and 40 to 46.
1981 c.72.	The Housing (Amendment) (Scotland) Act 1981.	The whole Act.
1982 c.43.	The Local Government and Planning (Scotland) Act 1982.	Sections 51 to 55; in Schedule 3 paragraphs 29 to 33 and 39 to 40.

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1982 c.45.	The Civic Government (Scotland) Act 1982.	In Schedule 3, paragraph 4.
1984 c.12.	The Telecommunications Act 1984.	In Schedule 4, paragraph 45.
1984 c.18.	The Tenants' Rights, Etc. (Scotland) Amendment Act 1984.	The whole Act.
1984 c.31.	Rating and Valuation Amendment (Scotland) Act 1984.	Section 8.
1984 c.50.	The Housing Defects Act 1984.	The whole Act.
1984 c.58.	The Rent (Scotland) Act 1984.	In section [F445(2)(d)] and in section 63(4)(g), the words "or any authorised society within the meaning of the Housing Act 1914"; in section 59, the words from "except that" to the end.
1985 c.68.	The Housing Act 1985.	In section 187, in the definition of "long tenancy", paragraph (b).
1985 c.71.	The Housing (Consequential Provisions) Act 1985.	In Schedule 2, paragraphs 10, 16, 17, 37, 39, 40, 42 and 45.
1986 c.65.	The Housing (Scotland) Act 1986.	Sections 1 to 12 and 18 and 21, Schedule 1, Schedule 2, paragraph 2.
1986 c.63.	The Housing and Planning Act 1986.	Section 3; in Schedule 5, paragraphs 14 and 17.
1986 c.53.	The Building Societies Act 1986.	In Schedule 18, paragraph 12.

#### Textual Amendments

**F44** "5(2)(d)" substituted (*retrospectively*) by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), s. 72(1), [Sch. 7 para. 30](#)

#### TABLE OF DERIVATIONS

1 The following abbreviations are used in this Table:

#### ACTS OF PARLIAMENT

1897	= The Public Health (Scotland) Act 1897 c. 38.
1914	= The Housing Act 1914 c. 31.

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1950	= The Housing (Scotland) Act 1950 c. 34.
1954	= The Housing (Repairs and Rents) (Scotland) Act 1954 c. 50.
1959	= The House Purchase and Housing Act 1959 c. 33.
1962	= The Housing (Scotland) Act 1962 c. 28.
1964	= The Housing Act 1964 c. 56.
1966	= The Housing (Scotland) Act 1966 c. 49.
1967	= The Housing (Financial Provisions, Etc.) (Scotland) Act 1967 c. 20.
1968	= The Housing (Financial Provisions) (Scotland) Act 1968 c. 31.
1969	= The Housing (Scotland) Act 1969 c. 34.
1970	= The Housing (Amendment) (Scotland) Act 1970 c. 5.
1971 (c. 28)	= The Rent (Scotland) Act 1971 c. 28.
1971 (c. 58)	= The Sheriff Courts (Scotland) Act 1971 c. 58.
1971	= The Housing Act 1971 c. 76.
1972	= The Housing (Financial Provisions) (Scotland) Act 1972 c. 46.
1972 (c. 52)	= The Town and Country Planning (Scotland) Act 1972 c. 52.
1973	= The Housing (Amendment) Act 1973 c. 5.
1973 (c. 56)	= The Land Compensation (Scotland) Act 1973 c. 56.
1973 (c. 65)	= The Local Government (Scotland) Act 1973 c. 65.
1974 (c. 39)	= The Consumer Credit Act 1974 c. 39.
1974 (c. 44)	= The Housing Act 1974 c. 44.
1974	= The Housing (Scotland) Act 1974 c. 45.
1975 (c. 21)	= The Criminal Procedure (Scotland) Act 1975 c. 21.
1975	= The Housing Rents and Subsidies (Scotland) Act 1975 c. 28.

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1977	= The Housing (Homeless Persons) Act 1977 c. 48.
1978	= The Housing (Financial Provisions) (Scotland) Act 1978 c. 14.
1978 (c. 27)	= The Home Purchase Assistance and Housing Corporation Guarantee Act 1978 c. 27.
1978 (c. 48)	= The Homes Insulation Act 1978 c. 48.
1980 (c. 51)	= The Housing Act 1980 c. 51.
1980	= The Tenants' Rights, Etc. (Scotland) Act 1980 c. 52.
1980 (c. 61)	= The Tenants' Rights, Etc. (Scotland) Amendment Act 1980 c. 61.
1981 (c.23)	= The Local Government (Miscellaneous Provisions) (Scotland) Act 1981 c. 23.
1981	= The Housing (Amendment) (Scotland) Act 1981 c. 72.
1982 (c. 24)	= The Social Security and Housing Benefits Act 1982 c. 24.
1982	= The Local Government and Planning (Scotland) Act 1982 c. 43.
1982 (c. 45)	= The Civic Government (Scotland) Act 1982 c. 45.
1982 (c. 48)	= The Criminal Justice Act 1982 c. 48.
1984 (c. 12)	= The Telecommunications Act 1984 c. 12.
1984 (c. 18)	= The Tenants' Rights, Etc. (Scotland) Amendment Act 1984 c. 18.
1984 (c. 31)	= The Rating and Valuation Amendment (Scotland) Act 1984 c. 31.
1984	= The Housing Defects Act 1984 c. 50.
1984 (c. 58)	= The Rent (Scotland) Act 1984 c. 58.
1985 (c. 69)	= The Housing Associations Act 1985 c. 69.
1985	= The Housing (Consequential Provisions) Act 1985 c. 71.
1986 (c. 53)	= The Building Societies Act 1986 c. 53.
1986 (c. 63)	= The Housing and Planning Act 1986 c. 63.



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1986	= The Housing (Scotland) Act 1986 c. 65.
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*SUBORDINATE LEGISLATION*

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S.I. 1983/271	= The Housing (Improvement of Amenities of Residential Areas) (Scotland) Order 1983.
S.I. 1983/492	= The Housing (Standard Amenities Approved Expense) (Scotland) Order 1983.
S.I. 1983/493	= The Housing (Improvement or Repair Grants) (Approved Expenses Maxima) (Scotland) Regulations 1983.
S.I. 1983/1804	= The Housing (Payments for Well-maintained Houses) (Scotland) Order 1983.

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- 2 The Table does not show the effect of Transfer of Functions Orders.
- 3 The letter R followed by a number indicates that the provision gives effect to the Recommendation bearing that number in the Scottish Law Commission's Report on the Consolidation of the Housing Acts for Scotland (Cmnd. 104).
- 4 The entry "drafting" indicates a provision of a mechanical or editorial nature affecting the arrangement of the consolidation; for instance a provision introducing a Schedule.

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1(1)	1966 s. 137; 1974 s. 50(1), Sch. 3 para. 9; 1974 s. 27(3)
(2)	1966 s. 137; 1969 s. 69(2), Sch. 6 para. 18; 1974 s. 50(1), Sch. 3 para. 9
(3)	1966 s. 137; 1969 s. 69(2), (3), Sch. 6 para. 18, Sch. 7, 5
(4)	1970 (c.44) ss. 3(1), (2)
2(1)	1966 s. 138
(2)	1966 s. 138(1)
(3)	1966 s. 138(2)
(4)	1966 s. 138(3); 1978 s. 16(1), Sch. 2 Pt. I para. 1
(5)	1966 s. 138(4); 1978 s. 16(1), Sch. 2 Pt. I para. 1
3(1)-(3)	1966 s. 139(1)
(4)	1966 s. 139(2)
4(1)	1966 s. 140(1)

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(2)	1966 s. 140(2); 1974 (c.39) s. 192 Sch. 4 Pt. I para. 27
5(1)	1966 s. 141(1)
(2)	1966 s. 141(2)
(3)	1966 s. 141(3); 1976 (c.66) Sch. 8
6(1)	1966 s. 177(1); 1980 Sch. 5; 1981 (c.23) s. 40 Sch. 3 para. 10; R.1
(2)	1966 s. 177(2); 1980 Sch. 5
7	1966 s. 147
8	1966 s. 148
9(1)	1966 s. 142
(2)	1966 s. 142 proviso
10(1)	1966 s. 143(1); 1974 s. 50(1), Sch. 3 para. 10, Sch. 5
(2)	1966 s. 143(2)
(3)	1966 s. 143(3)
(4)	1966 s. 143(4)
11	1966 s. 144
12(1)	1966 s. 145(1); 1978 s. 16(1), Sch. 2 Pt. I para. 2(a); 1980 ss. 8(3)(a), 8(4)
(2)	1966 s. 145(2)
(3)	1966 s. 145(3)
(4)	1966 s. 145(4)
(5)	1966 s. 145(5); 1980 Sch. 5
(6)	1966 s. 145(8)
(7)	1966 s. 145(6); 1972 s. 79(1), Sch. 9 para. 7; 1978 s. 16(1), Sch. 2 Pt. I para. 2
(8)	1966 s. 145(6A), 1973 (c.65) s. 237(2); 1980 ss. 8(3)(c), 8(4)
(9)	1966 s. 145(7); 1980 s. 76(b)
(10)	1966 s. 145(7) proviso; 1980 s. 76(b)
(11)	1945 s. 145(9)
13	1966 s. 146; 1972 s. 79(1), Sch. 9 para. 8
14(1)	1980 s. 8(1); 1986 Sch. 1 para. 9
(2)	1980 s. 8(1), (2)
15(1)	1966 s. 178; R.1

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(2)	1966 s. 178 proviso
16	1966 s. 179
17(1)	1966 s. 149(1); 1972 Sch. 11, Pt. V; R.2
(2)	1966 s. 149(2)
18	1966 s. 150(1); R.2
19(1)	1980 s. 26(1); 1986 Sch. 1 para. 13
(2)	1980 s. 26(2); 1986 Sch. 1 para. 13.
(3)	1980 s. 26(3); 1986 Sch. 1 para. 13
(4)	1980 s. 26(4)
20(1)	1966 s. 151(1), (2); 1969 s. 69(2), Sch. 6 para. 19; 1977 s. 6(2)
(2)	1980 s. 26A; 1986 Sch. 1 para. 13; R.2
21(1)	1980 s. 27(1); 1981 Sch. 3 para. 45
(2)	1980 s. 27(1A); 1986 s.8
(3)	1980 s. 27(1B); 1986 s. 8
(4)	1980 s. 27(2); 1981 (c. 23) Sch. 3 para. 45
(5)	1980 s. 27(2A); 1981 (c. 23) Sch. 3 para. 45
(6)	1980 s. 27(3); 1981 (c.23) Sch. 3 para. 45
22(1)	1975 s. 5(1)
(2)	1975 s. 5(2); 1980 s. 81(a)
(3)	1975 s. 5(3); 1980 s. 81(b)
(4)	1975 s. 5(4); 1985 Sch. 2 para. 27
(5)	1975 s. 5(5)
23(1)	1966 s. 175(1); 1972 Sch. 9 para. 10
(2)	1966 s. 175(2); 1974 (c. 44) Sch. 13 para. 14; 1985 Sch. 2 para. 10(2)
(3)	1966 s. 175(3); 1974 (c. 44) Sch. 13 para. 14
(4)	1966 s. 175(4)
(5)	1966 s. 175(5)
(6)	1969 s. 59A; 1974 s. 50(1) Sch. 3 para. 32; 1978 s. 16(2) Sch. 3
Part II	
24(1)	1977 s. 1(1); 1985 Sch. 2 para. 37

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(2)	1977 s. 1(1)
(3)	1977 s. 1(2); 1986 s. 21(2)
(4)	1977 s. 1(3)
25(1)	1977 s. 2(1)(2)
(2)	1977 s. 2(3)
(3)	1977 s. 2(3), 19(1)
(4)	1977 s. 2(4)
26	1977 s. 17(1)-(4)
27(1)-(3)	1977 s. 18(1)-(3)
(4)	1975 s. 15
28(1)	1977 s. 3(1), (2)
(2)	1977 s. 3(2), (3)
29	1977 s. 3(4)
30(1)-(4)	1977 s. 8(1)-(4)
(5)	1977 s. 8(8), (9); R.3
31(1)	1977 s. 4(1)
(2)	1977 s. 4(5)
(3)	1977 s. 4(2), (3)
(4)	1977 s. 4(2)
32(1)	1977 s. 4(1)
(2)	1977 s. 4(4)
(3)	1977 s. 4(2)
(4)	1977 s. 4(6)
(5)	1977 s. 4(7); 1986 s. 21(3)
33(1)	1977 s. 5(1); 1985 Sch. 2 para. 37
(2)	1977 s. 5(1)
(3)	1977 s. 5(11)
(4)	1977 s. 5(7), (8)
(5)	1977 s. 5(9)
(6)	1977 s. 5(10)
34(1)	1977 s. 5(6)
(2)	1977 s. 5(3), (4), (5)
(3)	1977 s. 8(5)
(4)	1977 s. 8(8), (9); R.3
35(1)	1977 s. 6(1)

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(2)	1977 s. 10
36(1)	1977 s. 7(1), (2)
(2)	1977 s. 7(1), (3)
(3)	1977 s. 7(4), (5)
(4)	1977 s. 7(6), (7)
(5)	1977 s. 7(8), (9), (10)
(6)	1977 s. 8(6), (7)
(7)	1977 s. 8(10), (11)
(8)	1977 s. 7(1), (3) drafting
37	1977 s. 12
38	1977 s. 9(1)
39(1)	1977 s. 13(1)
(2)	1977 s. 13(2), (3)
(3)	1977 s. 13(4)
(4)	1977 s. 13(7)
(5)	1977 s. 13(5), (6)
40(1)	1977 s. 11(1)
(2)	1977 s. 11(2), (3)
(3)	1977 s. 11(4)
(4)	1977 s. 11(5); 1975 (c. 21) s. 289F, s. 289G, 457A
41	1977 s. 16
42	1977 s. 18A; 1985 Sch. 2 para. 37
43	1977 s. 19(1); 1985 Sch. 2 para. 37
Part III	
44(1)	1980 s. 10(1), (2)
(2)	1980 s. 10(3)
(3)	1980 s. 10(4)(a)
(4)	1980 s.10(4)(b); 1984 (c.18) s. 5; 1986 Sch. 1 para. 10
(5)	1980 s. 10(5)
(6)	1980 s. 10(6)
45	1980 s. 11(1)-(5); 1985 Sch. 2 para. 45(4); R.4
46(1)	1980 s. 12(1)
(2)	1980 s. 12(2)

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47(1)	1980 s. 14(1)
(2)	1980 s. 14(2); 1981 (c. 23) Sch. 3 para. 43
(3)	1980 s. 14(3)
(4)	1980 s. 14(4)
48(1)	1980 s. 15(1); 1981 Sch. 3 para. 44; 1986 Sch. 1 para. 12(a)
(2)	1980 s. 15(2); 1986 Sch. 1 para. 12(b)
(3)	1980 s. 15(3); 1986 Sch. 1 para. 12(c)
(4)	1980 s. 15(4)
(5)	1980 s. 15(5); 1984 s. 6
49(1)	1980 s. 18(1)
(2)	1980 s. 18(2)
(3)	1980 s. 18(3)
(4)	1980 s. 18(4)
50(1)	1980 s. 19(1)
(2)	1980 s. 19(2)
(3)	1980 s. 19(3)
(4)	1980 s. 19(4)
51(1)	1980 s. 20(1)
(2)	1980 s. 20(2)
(3)	1980 s. 20(3)
52(1)	1980 s. 13(1)
(2)	1980 s. 13(2); 1986 Sch. 1 para. 11
(3)	1980 s. 13(3)
(4)	1980 s. 13(4)
(5)	1980 s. 13(5)
(6)	1980 s. 13(6)
(7)	1980 s. 13(7)
53(1)	1980 s. 16(1)
(2)	1980 s. 16(3)
(3)	1980 s. 16(6)
54(1)	1980 s. 17(1)
(2)	1980 s. 17(2); 1984 (c. 58) s. 117(1) Sch. 8
(3)	1980 s. 17(3)

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(4)	1980 s. 17(4)
(5)	1980 s. 17(5)
(6)	1980 s. 17(6)
55(1)	1980 s. 21(1)
(2)	1980 s. 21(2)
(3)	1980 s. 21(3)
(4)	1980 s. 21(4); 1984 (c. 58) s. 117(1) Sch. 8
(5)	1980 s. 21(6)
(6)	1980 s. 21(7)
56	1980 s. 22(1), (2)
57	1980 s. 23(1)-(3)
58	1980 s. 24(1)-(3)
59	1980 s. 25
60	1980 s. 17A(1)-(4); 1984 s. 7
61(1)	1980 s. 1(1); 1982 c. 43 Sch. 4
(2)	1980 s. 1(3), 10(2), (11), (12); 1986 s. 1(2) Sch. 1, para. 1(h) (iii) and (iv)
(3)	1980 s. 9A; 1984 s. 20
(4)	1980 s. 1(11); 1986 Sch. 1, para. 1(f)
(5)	1980 s. 1(2)
(6)	1980 s. 1(4); 1986 Sch. 1, para. 1(b)
(7)	1986 Sch. 1, para. 1(g)
(8)	1980 s. 1(11B); 1986 Sch. 1, para. 1(g)
(9)	1980 s. 1(11C); 1986 Sch. 1, para. 1(g)
(10)	1980 s. 1(12); 1984 ss. 1, 2; 1986 Sch. 1, para. 1(h)
(11)	1980 s. 1(10); 1984 (c. 18) s. 2, 8; 1984 (c. 36) Sch. 3, para. 47; 1986 Sch. 1, para. 1(e)
62(1)	1980 s. 1(5); 1986 Sch. 1, para. 1(c)
(2)	1980 s. 1(5), (6)
(3)	1980 ss. 1(5), 9A; 1984 s. 1; 1984 c. 50, s. 20; 1986 s. 2(1)(a) to (c); Sch. 1, para. 1(c); 1986 (c. 63) s. 3
(4)	1980 s. 1(5A); 1986 Sch. 1, para. 1(d); 1986 s. 2(1)(d)
(5)	1980 s. 1(5B); 1986 (c. 63) s. 3

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(6)	1980 s. 1(5C); 1986 (c. 63) s. 3
(7)	1980 s. 1(7); 1986 s. 3
(8)	1980 s. 1(7A); 1986 s. 3
(9)	1980 s. 1(8); 1986 s. 3(2)
(10)	1980 s. 1(9)
(11)	1986 s. 3(4)
(12)	1986 s. 3(4)
(13)	1986 s. 3(5)
63(1)	1980 s. 2(1)
(2)	1980 s. 2(2); 1984 (c. 18) s. 4(2), 8(1)
64(1)	1980 s. 4(1); 1982 s. 53(2)(a)
(2)	1980 s. 4(2)
(3)	1980 s. 4(3); 1982 s. 53(2)(b), Sch. 4
(4)	1980 s. 4(4); 1980 (c. 61) s. 2(a)
(5)	1980 s. 4(5)
(6)	1980 s. 4(6)
(7)	1980 s. 4(7); 1986 Sch. 1 para. 5(a)
(8)	1980 s. 4(7A); 1986 Sch. 1 para. 5(b)
(9)	1980 s. 4(8); 1980 (c. 61) s. 2(a)
65(1)	1980 s. 2(3)
(2)	1980 s. 2(4)
(3)	1980 s. 2(5)
66(1)	1980 s. 2(6); 1982 Sch. 3 para. 39; 1986 Sch. 1 para. 4
(2)	1980 s. 2(7)
67(1)	1980 s. 2(8), (11); 1981 (c. 23) Sch. 3 para. 40; 1982 Sch. 3 para. 39; 1984 s. 3, 4(2)
(2)	1980 s. 2(9)
(3)	1980 s. 2(11)
68	1980 s. 3(1)-(4)
69(1)	1980 s. 3A(1), (7); 1980 c. 61 s. 1(2)
(2)-(6)	1980 s. 3A(2)-(6)
70	1980 s. 3B(1)-(2); 1984 (c. 18) s. 4
71(1)	1980 s. 7(2); 1982 s. 55; Sch. 3 para. 40
(2)	1980 s. 7(3); 1982 s. 55(1)(b)



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(3)	1980 s. 7(4)
72(1)-(3)	1980 s. 6(1)-(3); 1986 Sch. 1 para. 7
(4)	1981 Sch. 3 para. 42
(5)	1980 s. 6(5); 1982 s. 54
(6)	1980 s. 6(5); 1986 Sch. 1 para. 7 (c)
(7)	1980 s. 6; 1986 Sch. 1 para. 7(d)
73	1980 s. 6A; 1986 Sch. 1 para. (8)
74	1980 s. 7(1)
75	1980 s. 1(1A); 1982 s. 53(1); 1986 Sch. 1 para. 1(a)
76	1980 s. 1B; 1986 Sch. 1 para. 3
77(1)	1980 s. 1A; 1981 (c. 23) s. 35(1)
(2)	1980 s. 1A(2); 1981 (c. 23) s. 35(2); 1986 Sch. 1, para. 2
(3)	1980 s. 1A(3); 1981 (c. 23) s. 35(3)
(4)	1980 s. 1A(4); 1981 (c. 23) s. 35(4)
(5)	1980 s. 1A(5); 1981 (c. 23) s. 35(5)
(6)	1980 s. 1A(6); 1981 (c. 23) s. 35(6)
(7)	1980 s. 1A(7); 1981 (c. 23) s. 35(7)
78	1980 s. 4A; 1986 s. 4
79	1980 s. 9B; 1986 s. 5
80	1980 s. 25A; 1986 s. 7
81	1980 s. 9C; 1986 s. 6
82	1980 s. 82; 1980 (c. 61) s. 2(f); 1982 Sch. 3 para. 39(b); 1986 Sch. 1 para. 16
83	1980 s. 82A; 1986 Sch. 1 para. 17
84	1980 s. 83
Part IV	
85	1974 s. 13(1)-(3)
86	1974 s. 14(1)-(3)
87(1)	1966 s. 180(1), (2); 1969 Sch. 6 para. 23; 1973 (c. 65) Sch. 27 Part I para. 2
(2)	1966 s. 180(5)
(3)	1966 s. 180(6)
88(1)	1974 s. 14A(1); 1978 s. 10
(2)	1974 s. 14A(1A); 1980 s. 71

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(3)	1974 s. 14A(3); 1978 s. 10
(4)	1974 s. 14A(4); 1978 s. 10
(5)	1974 s. 14A(5); 1978 s. 10
(6)	1974 s. 14A(6); 1978 s. 10
(7)	1974 s. 14A(7); 1978 s. 10
(8)	1974 s. 14A(8); 1978 s. 10
89(1)	1974 s. 15(1)
(2)	1974 s. 15(2); 1978 Sch. 2 para. 22
(3)	1974 s. 15(3); 1978 Sch. 2 para 22
90(1)	1974 s. 16(1)
(2)	1974 s. 16(2)
(3)	1974 s. 16(3)
(4)	1974 s. 16(4); 1978 Sch. 2 para. 23
91(1)	1974 s. 17(1)
(2)	1974 s. 17(2)
(3)	1974 s. 17(3)
(4)	1974 s. 17(4); 1978 Sch. 2 para. 24(a)
(5)	1975 s. 17(5); 1978 Sch. 2 para. 24(b)
92	1974 s. 18(1)–(4)
93	1974 (c. 44) s. 116A; 1975 Sch. 3 para. 16
94	1974 s. 19(1)–(7)
95(1)	1974 ss. 20, 21
(2)	1974 ss. 22, 23, 26, 28, 31–34, 36A
(3)	1974 s. 29
(4)	1974 s. 25; 1966 s. 80, 87
96	1974 s. 27(1)–(3)
97(1)	1974 s. 35(1)
(2)	1974 s. 35(2)
(3)	1974 s. 35(3)
(4)	1974 s. 35(4); 1975 (c. 21) s. 289E, 289G; 1982 (c. 48) s. 54
(5)	1974 s. 35(5)
(6)	1974 s. 35(6)
(7)	1974 s. 35(7)
98	1974 s. 36

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99	1974 s. 37(1)–(3)
100	1974 s. 38(1), (2)
101	1974 s. 39(1), (2)
102	1974 s. 40; 1984 (c. 58) Sch. 8 Pt. II
103	1974 s. 41
104	1974 s. 42
105(1)	1974 s. 43(1); 1978 Sch. 2 para. 43
(2)	1974 s. 43(2)
(3)	1974 s. 43(3)
106	1974 s. 44(1); 1978 Sch. 2 para. 26
107	1974 s. 44A; 1978 Sch. 2 para. 27
Part V	
108(1)	1969 s. 24(1)
(2)	1969 s. 24(1); 1978 Sch. 2 para. 6(a) and (b)
(3)	1969 s. 24(2); 1978 Sch. 2 para. 6(c)
(4)	1969 s. 24(2)
(5)	1969 s. 24(2)
(6)	1969 s. 24(3)
(7)	1969 s. 24(4)
(8)	1969 s.24(6); 1978 Sch. 2 para. 6(d)
109(1)	1969 s. 25(1)
(2)	1969 s. 25(1A); 1978 Sch. 2 para. 7
(3)	1969 s. 25(2)
(4)	1969 s. 25(3); 1973 (c. 65) s. 121; 1981 (c. 23) Sch. 2 para. 15
(5)	1969 s. 25(4)
110(1)	1969 s. 26(1)
(2)	1969 s. 26(1)
(3)	1969 s. 26(2)
(4)	1969 s. 26(3)
111(1)	1969 s. 27(1)
(2)	1969 s. 27(2)
112	1969 s. 28
113	1966 ss. 6-11
Part VI	

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114(1)–(2)	1966 s. 15(1); 1969 Sch. 6 para. 4(a); 1973 (c. 65) Sch. 27 para. 2(1)
(3)	1966 s. 17(1), (2); 1969 Sch. 6 para. 5
(4)	1966 s. 17(2); 1969 Sch. 6 para. 5; 1980 s. 84 Sch. 5
(5)	1966 s. 17(3); 1980 s. 84 Sch. 5
115	1966 s. 15(2); 1969 Sch. 6 para. 4(b) and (c); 1973 (c. 65) Sch. 27Pt. I, para. 2(1)
116	1966 s. 15(3); 1969 Sch. 6 para. 4(d)
117(1)–(3)	1966 s. 15(4); 1969 Sch. 6 para. 4(d)
(4)	1966 s. 15(5)
(5)	1966 s. 15(6)
118(1)	1966 s. 15(7)
(2)	1966 s. 15(8)
119(1)	1966 s. 18(1); 1969 Sch. 6 para. 6(a); 1972 (c. 52) Sch. 21 Pt. II
(2)	1966 s. 18(2); 1969 Sch. 6 para. 6(b); 1972 (c. 52) Sch. 21 Pt. II
(3)	1966 s. 18(3)
120(1)	1966 s. 19(1); 1969 Sch. 6 para. 7(a)
(2)	1966 s. 19(1A); 1969 Sch. 6 para. 7(b)
(3)	1966 s. 19(2); 1969 Sch. 6 para. 7(c)
(4)	1966 s. 19(3); 1969 Sch. 6 para. 7(d)
(5)	1966 s. 19(4); 1969 Sch. 6 para. 7(d)
(6)	1966 s. 19(6); 1969 Sch. 6 para. 7(e); 1974 Sch. 3 para. 5
121(1)–(2)	1966 s. 20(1); 1969 Sch. 6 para. 8(a), Sch. 7
(3)	1966 s. 20(2); 1969 Sch. 7
(4)	1966 s. 20(3)
(5)	1966 s. 20(4); 1969 Sch. 6 para. 8(b)
(6)	1966 s. 20(5); 1969 Sch. 6 para. 8(c)
(7)	1966 s. 20(6); 1969 Sch. 6 para. 8(c)
(8)	1966 s. 20(8)
(9)	1966 s. 20(9)
122(1)–(2)	1966 s. 21; 1974 Sch. 3 para. 6; 1975 (c. 21) s. 289E; 1982 (c. 48) s. 54

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123	1966 s. 22(1)-(3)
124(1)	1966 s. 23(1)
(2)	1966 s. 23(2)
(3)	1966 s. 23(3)
(4)	1966 s. 23(4); 1974 Sch. 3 para. 7
125(1)	1966 s. 56(1)
(2)	1966 s. 56(2)
(3)	1966 s. 56(3)
(4)	1966 s. 56(4)
(5)	1966 s. 56(5); 1975 (c. 21) s. 289G; 1982 (c.48) s. 54
(6)	1966 s. 56(6)
(7)	1966 s. 56(7)
126(1)	1966 s. 57(1)
(2)	1966 s. 57(1)
(3)-(4)	1966 s. 57(1)
(5)	1966 s. 57(2)
(6)	1966 s. 57(3)
127(1)	1966 s. 181(1)
(2)-(3)	1966 s. 181(2)
(4)-(5)	1966 s. 181(3)
(6)	1966 s. 181(4); 1975 (c. 21) s. 289E; 1982 (c. 48) s. 54
128	1966 s. 182; 1969 Sch. 6 para. 24
129(1)	1966 s. 26(1), 57(4); 1969 Sch. 7
(2)	1966 s. 26(1)
(3)	1966 s. 26(4)
130	1966 s. 27; 1969 Sch. 7
131(1)-(2)	1966 s. 30; 1969 Sch. 6 para. 12
(3)	1966 s. 30(2); 1969 Sch. 7
132(1)	1966 s. 31(1)
(2)	1966 s. 31(2); 1969 Sch. 7
133	1966 s. 33(1), (2)
134	1984 (c. 12) Sch. 4 para. 45; 1986 (c. 44) Sch. 7 para. 2(7)

Part VII

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*Status: Point in time view as at 30/06/2011.*

**Changes to legislation:** *Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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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135	1966 s. 89(1); drafting
136(1)	1966 s. 89(1)(a)
(2)	1966 ss. 89(1)(a), 99
137(1)	1966 s. 89(1)(b)
(2)	1966 ss. 89(2), 99
(3)	1966 Sch. 5
(4)	1966 s. 94(4)
(5)	1966 s. 198
(6)	1966 s. 94(5)
138(1)	1966 s. 91(1)
(2)	1966 s. 91(1)
(3)	1966 s. 91(1); 1980 Sch. 5
(4)	1966 s. 91(1)
(5)	1966 s. 91(1)
(6)	1966 s. 91(2); 1980 Sch. 5
(7)	1966 s. 91(3)
139(1)	1966 s. 90(1)
(2)	1966 ss. 90(2), (3), 92(5), and 93(3)
(3)	1966 s. 90(1); 1975 (c. 21) s. 289C,G; 1982 (c. 48) s. 54
140(1)	1966 s. 90(2)
(2)	1966 s. 90(2)(b)
141	1966 s. 90(3)
142(1)	1966 s. 92(1)
(2)	1966 s. 92(1)
(3)	1966 s. 92(2)
(4)	1966 s. 92(3)
(5)	1966 s. 92(3)
(6)	1966 s. 92(4)
143(1)	1966 s. 93(1)
(2)	1966 s. 93(1), (2)
144(1)	1966 s. 94(1)
(2)	1966 s. 94(1); 1975 (c. 21) s. 289C,G; 1982 (c. 48) s. 54
(3)	1966 s. 94(3)
145	1966 s. 95(1)

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146(1)	1966 s. 88(1)
(2)	1966 s. 88(1)
(3)	1966 s. 88(1), (3)
(4)	1966 s. 88(1)
(5)	1966 s. 88(1)
(6)	1966 s. 88(2)
147(1)	1966 s. 96(2)
(2)	1966 s. 96(2); 1975 (c. 21) s. 289C,G; 1982 (c. 48) s. 54
148(1)	1966 s. 94(2)
(2)	1966 s. 94(2)
149	1966 s. 97
150	1966 s. 96(1)
151	1966 s. 99
Part VIII	
152(1)	1966 s. 100(1)
(2)	1966 s. 100(2)
(3)	1966 s. 100(2); 1966 s. 100(3)
(4)	1966 s. 100(4)
(5)	1966 s. 100(5)
153	1966 s. 101(1)–(4); 1969 (c. 19) s. 10(1)
154	1966 s. 101(4)
155(1)	1966 s. 102(1)
(2)	1966 s. 102(2); 1975 (c. 21) s. 289 C, G; 1982 (c. 48) s. 54
156(1)	1966 s. 103(1)
(2)	1966 s. 103(2)
(3)	1966 s. 103(3)
(4)	1966 s. 103(4); 1975 (c. 21) s. 289 C, G; 1982 (c. 48) s. 54
(5)	1966 s. 103(5)
(6)	1966 s. 103(5)
157(1)	1966 s. 104(1)
(2)	1966 s. 104(2)
(3)	1966 s. 104(3)

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(4)	1966 s. 104(3)
(5)	1966 s. 104(6)
158(1)	1966 s. 104(4)
(2)	1966 s. 104(5)
(3)	1966 s. 104(5)
(4)	1966 s. 104(6)
159(1)	1966 s. 104(7)
(2)	1966 s. 104(7)
160(1)	1966 s. 105(1)
(2)	1966 s. 105(2)
(3)–(4)	1966 s. 105(3)
(5)	1966 s. 105(4)
161(1)	1966 s. 106(1)
(2)	1966 s. 106(2)
(3)	1966 s. 106(1), (3)
(4)	1966 s. 106(3)
(5)–(6)	1966 s. 106(5) and (1)
(7)	1966 s. 106(4)
(8)	1966 s. 106(6)
162(1)	1966 s. 107(1)
(2)	1966 s. 107(1); 1982 s. 52(2)
(3)	1966 s. 107(2); 1973 (c. 65.) Sch. 12 para. 8
(4)	1966 s. 107(3)
(5)	1966 s. 107(4)
(6)	1966 s. 107(5)
163(1)	1966 s. 108(1)
(2)	1966 s. 108(1)
(3)	1966 s. 108(2)
(4)	1966 s. 108(3)
(5)	1966 s. 108(4)
164(1)	1966 s. 109(1)
(2)	1966 s. 109(1)
(3)	1966 s. 109(2)
(4)	drafting, 1966 s. 109(3)–(6)



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165(1)	1966 s. 110(1), (1A); 1975 (c. 21) s. 289C, G; 1982 (c. 48) s. 54
(2)	1966 s. 110(1)
(3)	1966 s. 110(2)
(4)	1966 s. 110(3)
(5)	1966 s. 110(4)
166(1)	1966 s. 111(1)
(2)	1966 s. 111(2)
(3)	1966 s. 111(3)
(4)	1966 s. 111(4); 1980 s. 65(1)(e); S.I. 1980/1387
(5)	1966 s. 111(5); 1980 s. 65(1)(e); 1975 (c. 21) s. 289C, G; 1982 (c. 48) s. 54
167(1)	1966 s. 112(1)
(2)	1966 s. 112(2)
168	1966 s. 112(5); 1980 s. 65(1)(f); 1975 (c. 21) s. 289C, G; 1982 (c. 48) s. 54
169(1)	1966 s. 112(3)
(2)	1966 s. 112(3)
170	1966 s. 112(4)
171(1)	1966 s. 113(1)
(2)	1966 s. 113(1), proviso (i)
(3)	1966 s. 113(1), proviso (ii)
(4)	1966 s. 113(2)
(5)	1966 s. 113(3)
172(1)	1966 s. 114(1)
(2)	1966 s. 114(2)
(3)	1966 s. 114(3)
(4)	1966 s. 114(4); 1969 s. 5; Sch. 6 para. 15; R.5
173	1966 s. 115
174	1966 s. 116
175	1966 s. 117
176(1)–(2)	1966 s. 192(2)
(3)	1966 s. 192(3)
177	1966 s. 119
178	1966 s. 120(1)–(6)

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179(1)	1966 s. 121(1)
(2)	1966 s. 121(2)
(3)	1966 s. 121(3)
(4)	1966 s. 121(4)
(5)	1966 s. 121(5)
180(1)	1966 s. 122(1)
(2)	1966 s. 122(2)
(3)	1966 s. 122(3)
(4)	1966 s. 122(4); 1971 (c. 28) Sch. 18 Pt. II; 1984 (c. 58) Sch. 8 Pt. II
(5)	1966 s. 122(5)
(6)	1966 s. 122(6)
(7)	1966 s. 122(7)
181(1)	1966 s. 123(1)
(2)	1966 s. 123(2)
(3)	1966 s. 123(3); 1971 (c. 28) Sch. 18 Pt. II; 1984 c. 58 Sch. 8 Pt. II
(4)	1966 s. 123(4)
(5)	1966 s. 123(5)
(6)	1966 s. 123(6)
182(1)	1966 s. 124(1)
(2)	1966 s. 124(2)
(3)	1966 s. 124(3)
(4)	1966 s. 124(4)
(5)	1966 s. 124(5)
183(1)	1966 s. 125(1)
(2)	1966 s. 125(2)
(3)	1966 s. 125(3)
(4)	1966 s. 125(4)
(5)	1966 s. 125(5)
(6)	1966 s. 125(6); 1981 (c. 23) s. 40 Sch. 3 para. 8
184(1)	1966 s. 126(1)
(2)	Drafting
(3)	1966 s. 126(6)
185(1)	1966 s. 128(1)

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(2)	1966 s. 128(2)
(3)	1966 s. 128(3)
186(1)	1966 s. 129(1)
(2)	1966 s. 129(2)
(3)	1966 s. 129(3)
(4)	1966 s. 129(4)
(5)	1966 s. 129(5)
(6)	1966 s. 129(6)
187(1)	1966 s. 130(1)
(2)	1966 s. 130(2)
(3)	Drafting
188(1)	1966 s. 133(1)
(2)	1966 s. 133(2)
(3)	1966 s. 133(3)
(4)	1966 s. 133(4)
(5)	1966 s. 133(10)
189	Drafting
190	1966 s. 136(1)–(4)
Part IX	
191(1)	1978 s. 1(1)
(2)	1978 s. 1(2); 1981 (c. 23) s. 21(1)(a)(ii), (2)
(3)	1978 s. 1(3)
(4)	1978 s. 1(4)
(5)	1978 s. 1 (4A); 1981 (c. 23) s. 21(1)(b)
(6)	1978 s. 1(4B); 1981 (c. 23) s. 21(1)(b)
(7)	1978 s. 1(5)
(9)	1978 s. 1(6)
(10)	1978 s. 1(7); 1981 (c. 23) s. 21(1)(c)
192(1)	1978 s. 2(1); 1981 (c. 23) s. 22
(2)	1978 s. 2(1)
(3)	1978 s. 2(2); 1981 (c. 23) s. 22
(4)	1978 s. 2(3); 1981 (c. 23) s. 22
(5)	1978 s. 2(4)
(6)	1978 s. 2(5)

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(7)	1978 s. 2(7)
193	1978 s. 3
194(1)	1978 s. 4(1); 1986 s. 18(1)
(2)	1978 s. 4(2), (4); 1986 s. 18(1)
(3)	1978 s. 4(3)
195(1)–(5)	1978 s. 4A(1)–(5); 1986 s. 18(2)
196(1)	1968 s. 25(1)
(1)(c)	1970 (c. 5) s. 1
(1)(f)	1978 Sch. 2 Pt. I para. 4
(1)(g)	1978 Sch. 2 Pt. I para. 4
(1)(g)(i)	1981 s. 1(1)
(1)(g)(ii)	1968 s. 25(1); 1970 (c. 5) s. 1; 1978 Sch. 2 para. 4; 1976 (c. 11) s. 1(1); 1981 s. 1(1)
(2)	1968 s. 25(2)
(3)	1968 s. 25(3)
(4)	1985 (c. 69) Sch. 2 para. 16(3)
(5)	1985 (c. 69) Sch. 2 para. 16(3)
(6)	1968 s. 25(5)
(7)	1968 s. 25(6); 1972 Sch. 9 para. 16
197	1978 s. 5; 1985 Sch. 2 para. 39(2)
198(1)	1978 s. 6(1)
(2)	1978 s. 6(2)
199	drafting; 1978 s. 7; 1968 s. 59; 1985 Sch. 2 para. 39(3)
200(1)	1972 s. 7(2)
(2)	1972 s. 7(4)
(3)	1972 s. 7(5)
201(1)	1972 s. 13(1)
(2)	1972 s. 13(2)
(3)	1972 s. 13(3)
(4)	1968 s. 57(1)
(5)	1968 s. 58(1)
202(1)	1968 s. 58(1); 1972 s. 73(a)
(2)	1968 s. 58(1), (3)(aa)
(3)	1968 s. 58(1)

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(4)	1968 s. 58(2)
(5)	1968 s. 58(3); 1969 Sch. 6 para. 40; 1974 Sch. 3 para. 21; 1972 s. 73(a); 1975 Sch. 3 para. 2
(6)	1968 s. 58(4)
(7)	1968 s. 58(5); 1972 Sch. 9 para. 20(a)(i)
Part X	
203(1)	1972 s. 23(1); 1974 Sch. 3 para. 42; 1978 s. 11(1)(a)
(2)	1972 s. 23(4)
(3)	1972 s. 23(5)
(4)	1972 s. 23(3); 1978 s. 11(1)(b)
(5)	1972 s. 23(7)
(6)	1978 s. 11(3)
(7)	1978 s. 11(4); Interpretation Act 1978 s. 14
204	1972 s. 23A; 1984 (c. 31) s. 8
205	1972 s. 24
206	1972 s. 25
207	1972 s. 26
208	1972 s. 74
209	1972 s. 75
Part XI	
210	1975 s. 1(2)-(4)
211	1972 s. 32(1), (2), (3)
212(1)	1969 s. 62(1); 1975 Sch. 3 para. 3(1); R.2
(2)-(3)	1969 s. 62(1), (3)
(4)	1969 s. 62(5), (6); 1973 (c. 65) Sch. 12 para. 22(a), (b); 1975 Sch. 3 para. 3(2)
(5)	1969 s. 62(8); 1980 s. 17(7)(c)
213	1969 s. 62(2), (3); 1975 (c. 28) Sch. 3 para. 3(1)
Part XII	
214(1)-(2)	1968 s. 49(1); 1974 s. 45(2); 1980 ss. 29, 84 Sch. 5
(3)	1968 s. 49(1A); 1980 s. 29
(4)	1968 s. 49(2A); 1974 s. 45(3)

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(5)	1968 s. 49(4)
(6)	1968 s. 49(5); 1974 s. 45(5)
(7)	1968 s. 49(5); 1978 Sch. 2 Pt. 1 para. 5
(8)	drafting
215	1968 s. 49(2); 1969 Sch. 6 para. 39
216(1)–(9)	1980 s. 5(1)–(9); 1981 Sch. 3 para. 41; 1986 Sch. 1 para. 6
217(1)	1974 s.24(1)
(2)	1974 s. 24(2)
(3)	1974 s. 24(3)
(4)	1974 s. 24(4)
(5)	1974 s. 24(5)
(6)	1974 s. 24(6); 1980 s. 29(2)
(7)	1974 s. 24(7)
(8)	1974 s. 24(8)
(9)	1974 s. 24(9)
218	1969 s. 24A; 1978 s. 9
219(1)	1980 s. 30(1)
(2)	1980 s. 30(2)
(3)	1980 s. 30(3)
(4)	1980 s. 30(4)
(5)	1980 s. 30(5); 1986 Sch. 3
(6)	1980 s. 30(6)
(7)	1980 s. 30(7)
(8)	1980 s. 30(10)
220	1980 s. 30(8); 1986 Sch. 1 para. 15(b)
221	1980 s. 30(9)
222(1)	1978 (c. 27) s. 1(1)
(2)	1978 (c. 27) s. 1(2)
(3)	1978 (c. 27) s. 1(2)
223(1)	1978 (c. 27) s. 1(4)
(2)	1978 (c. 27) s. 1(3), (5)
(3)	1978 (c. 27) s. 1(3)
(4)	1978 (c. 27) s. 1(5)
(5)	1078 (c. 27) s. 1(6)

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(6)	1978 (c. 27) s. 2(7)
224(1)	1978 (c. 27) Sch. 1 Pt. I; 1986 (c. 53) Sch. 18
(2)	1978 (c. 27) s. 2(1)
(3)	1978 (c. 27) s. 2(7)
225(1)	1978 (c. 27) sch. 1 Pt. II
(2)	1978 (c. 27) s. 2(1)
(3)	1978 (c. 27) s. 2(7)
226(1)	1978 (c. 27) s. 2(2)
(2)	1978 (c. 27) s. 2(3)
(3)	1978 (c. 27) s. 2(4)
227(1)	1978 (c. 27) ss. 3(1), (3), (4), 4(2); 1986 (c. 53) Sch. 18 para. 18
(2)	1978 s. 2(5); 1985 (c. 71) Sch. 2 para. 40(2)
228(1)–(3)	1984 s. 28(1)–(3)
229(1)	1980 s. 31(1); 1986 s. 9
(2)	1980 s. 31(2)
(3)	1980 s. 31(3)
(4)	1980 s. 31(4)
(5)	1980 s. 31(5)
(6)	1980 s. 31(5A); 1986 s. 9
(7)	1980 s. 31(5B); 1986 s. 9
230(1)	1980 s. 30(11)
(2)	1980 s. 30(12)
231	1968 s. 52
232	1980 s. 74
233(1)	1968 s. 51(1)
(2)	1968 s. 51(2)
(3)	1968 s. 51(4)
234(1)–(3)	1972 s. 71(1)–(3); R.2
(4)	1972 s. 71; 1973 (c. 56) s. 34(7)
(5)	1966 s. 160(3)
(6)	1966 s. 160(4)
235	1964 s. 101; 1966 s. 212(5); 1973 (c. 65) Sch. 12 para. 5

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### Part XIII

236(1)	1974 s. 1(1)
(2)	1974 s. 1(3); 1978 Sch. 2 para. 16(a)
(3)	1974 s. 1(4); 1978 Sch. 2 para. 16(b)
(4)	1974 s. 1(3A); 1982 Sch. 3 para. 29
237	1974 s. 2(2)
238	1974 s. 2(1), 3(1)
239	1974 s. 2(4)
240(1)	1974 s. 2(3)(a); 1980 s. 66(1); 1974 s. 2(3)(b); 1980 s. 66(1)
(2)	1974 s. 3(2)(a); 1978 Sch. 2 Pt. I para. 17; 1974 s. 3(2)(b); 1978 Sch. 2 Pt. I para. 17; 1974 s. 3(2); 1978 Sch. 2 para. 17; 1980 s. 67
(3)	1974 s. 3(3), (5); 1980 s. 67
(4)	1974 s. 3(3A); 1980 s. 67
(5)	1974 s. 3, (3B); 1980 s. 67
(6)	1974 s. 3(4); 1978 Sch. 2 Pt. I para. 17
241	1974 s. 4; 1980 s. 66(4)(a)
242(1)	1974 s. 5(1); S.I. 1983/493
(2)	1974 s. 5(2)
(3)	1974 s. 5(3); 1980 s. 68; S.I. 1983/493
(4)	1974 s. 5(4)
(5)	1974 s. 5(5); 1978 Sch. 2 para. 18(b); 1982 s. 51
(6)	1974 s. 5(6)
(7)	1974 s. 48(3), 49(3); 1978 Sch. 2 para. 28; R.6 (1)
(8)	1974 s. 48(3), 49(3); 1978 Sch. 2 para. 28; R.6 (1)
(9)	1974 s. 48(3)
(10)	1974 s. 5 (1A),(3A)
243(1)	1974 s. 6(1); Sch. 2 para. 40; 1982 Sch. 3
(2)	1974 s. 6(2)
(3)	1974 s. 6(3); 1981 Sch. 2 para. 35
244(1)	
(2)	1974 s. 7(1A); Sch. 2 para. 19



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(3)	1974 s. 7(1AA); 1982 s. 51
(4)	1974 s. 7(1B); 1980 s. 69
(5)	1974 s. 7(2)
(6)	1974 s. 7(3)
(7)	1974 s. 7(4)
(8)	1974 s. 7(5)
(9)	1974 s. 7(6)
(10)	1974 s. 7(7); 1980 s. 66(2)
(11)	drafting
(12)	1974 s. 48(3), s. 49(3); 1978 Sch. 2 para. 28
(13)	1974 s. 48(3)
(14)	1974 s. 48(3), s. 49(3)
245	1974 s. 8(1); 1980 s. 66(4)(c)
246(1)	1974 s. 9(1)
(2)	1974 s. 9(2)
(3)	1974 s. 9(6); 1981 Sch. 3 para. 29
(4)	1974 s. 9(7)
(5)	1974 s. 9(8)
(6)	1974 s. 9(9); 1978 Sch. 2 para. 20; 1979 (c. 33) Sch. 2 para. 5; 1980 s. 66(4)(d) (ii)
247	1974 s. 10
248(1)	1974 s. 10A(1); 1978 s. 8
(2)	1974 s. 10A(2); 1980 s. 70; 1981 Sch. 3 para. 30
(3)	1974 s. 10A; 1980 s. 66(4)(e); 1982 Sch. 3
(4)	1974 s. 10A(4); S.I. 1983/493
(5)	1974 s. 10A(5); 1982 Sch. 3 para. 31
(6)	1974 s. 10A(6); 1982 (c. 45) Sch. 3 para. 4
(7)-(9)	1974 s. 49(3); 1978 Sch. 2 para. 28
(10)	1974 s. 48(3)
249	1974 s. 10B; 1982 (c. 43) s. 52; R.6(2)
250(1)-(4)	1974 s. 11(1)-(4); 1978 Sch. 2 para. 41(a)

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(5)	1974 s. 2(3A); 1974 s. 11(5); 1980 s. 66(1)
(6)	1974 s. 11(6); 1978 Sch. 2 para. 21(a), (b)
(7)	1974 s. 11(7); 1980 Sch. 2 para. 41(b)
251(1)	1969 s. 58(1); 1974 s. 44(2)
(2)	1969 s. 58(2)
252	1978 (c. 48) s. 1
253	1978 (c. 48) s. 1
254	1974 s. 12; 1982 Sch. 3 para. 32
255(1)	1969 s. 59(1); 1974 Sch. 3 para. 31(a)
(2)	1978 Sch. 3
(3)	1969 s. 59(1A); 1974 Sch. 3 para. 31(b)
(4)	1969 s. 59(2); 1974 Sch. 3 para. 31(c)
(5)	1969 s. 59(3); 1980 s. 32
(6)	1969 s. 59(4); S.I. 1983/271
(7)	1969 s. 59(5); S.I. 1983/271
(8)	1969 s. 59(5A); 1974 (c. 85) Sch. 3 para. 31(d); S.I. 1983/271
(9)	1969 s. 59(6); 1974 Sch. 3 para. 31(e)
(10)	1969 s. 59(7)
256	1968 s.53; 1974 Sch. 3 para. 20
Part XIV	
257(1)	1984 s. 1(1)
(2)	1984 s. 1(2)
(3)	1984 s. 1(3)
(4)	1984 s. 1(7)
(5)	1984 s. 1(5)
(6)	1984 s. 1(6)
258(1)	1984 s. 1(4), (5)
(4)	1984 s. 1(4), (5)
259(1)	1984 s. 2(1)
(2)	1984 s. 2(7)
(3)	1984 s. 2(2)
(4)	1984 s. 2(3)
260	1984 s. 2(5)

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261	1984, s. 2(6), (8), 27(7)
262	1984 s. 3(1)
263(1)	1984 s. 3(8)
(2)	1984 s. 3(9)
(3)	1984 s. 3(9)
264(1)	1984 s. 4(1)
(2)	1984 s. 4(1)(a)
(3)	1984 s. 4(1)(b)
265(1)	1984 s. 3(2)
(2)	1984 s. 3(3), (5)
(3)	1984 s. 3(3)
266(1)	1984 s. 3(4), (11)
(2)	1984 s. 3(6)
(3)	1984 s. 3(6)
(4)	1984 s. 3(6)
267(1)	1984 s. 3(7)
(2)	1984 s. 4(6)
268(1)	1984 s. 4(2)
(2)	1984 s. 4(2)
(3)	1984 s. 4(3)
(4)	1984 s. 4(4)
(5)	1984 s. 4(5)
269(1)	1984 s. 5(1)
(2)	1984 s. 5(2)
270(1)	1984 s. 5(3)
(2)	1984 s. 5(4)
(3)	1984 s. 5(5)
(4)	1984 s. 5(3)
271(1)	1984 Sch. 1 para. 1(1)
(2)	1984 Sch. 1 para. 1(2)
(3)	1984 Sch. 1 para. 1(3)
(4)	1984 Sch. 1 para. 2(1)
(5)	1984 Sch. 1 para. 2(2)
(6)	1984 s. 24(1) (5)
272	1984 Sch. 1 para. 3

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273(1)	1984 Sch. 1 para. 4(1)
(2)	1984 Sch. 1 para. 4(2)
(3)	1984 Sch. 1 para. 4(3)
274(1)	1984 Sch. 1 para. 5(1), (2)
(2)	1984 Sch. 1 para. 5(2)
275	1984 s. 7; drafting
276(1)	1984 s. 26(2)
(2)	1984 s. 26(3), (4)
(3)	1984 s. 26(5), (6)
(4)	1984 s. 24(1)
277(1)	1984 s. 9(1), (12)
(2)	1984 s. 9(2)
(3)	1984 s. 9(3)
(4)	1984 s. 9(4)
278(1)	1984 s. 8(1)
(2)	1984 s. 8(2)
(3)	1984 s. 8(3)(a)
(4)	1984 s. 8(3)(b)
(5)	1984 s. 8(3)(c)
(6)	1984 s. 8(9)
279(1)	1984 s. 8(4), 9(6)
(2)	1984 s. 8(5), 9(7)
(3)	1984 s. 8(6), 9(8)
(4)	1984 s. 8(8), 9(10)
(5)	1984 s. 8(7), 9(9)
280(1)	1984 s. 11(1)
(2)	1984 s. 11(2)
281(1)	1984 ss. 9(5), 10(1), (10), 26(7), (8)
(2)	1984 s. 10(10), (11)
282(1)	1984 ss. 9(5), 10(1), (3), 26(7), (8)(a)
(2)	1984 ss. 9(5), 10(3)
(3)	1984 ss. 10(3), 26(7), (8)(b)
(4)	1984 ss. 10(5), 26(8)(d)
283(1)	1984 ss. 9(5), 10(1), (4), (11), 26(7)(b)
(2)	1984 s. 10(5)

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(3)	1984 s. 10(9)
284(1)	1984 ss. 10(1), (6), 26(8)(e), Sch. 3 paras 1, 2
(2)	1984 s. 10(6) Sch. 3 para. 3
285(1)	1984 ss. 9(5)(b), 9(12)(d), 10(7), (12)(d), 26(8)(c), (f)
(2)	1984 s. 10(8)
(3)	1984 s. 10(8)
286	1984 s. 10(1)(b), (2), Sch. 3 para. 1
287(1)	1984 s. 12(1), (5)
(2)	1984 s. 12(2)
(3)	1984 s. 12(3)
(4)	1984 s. 12(4)
(5)	1984 s. 12(9)
(6)	1984 s. 12(8)
288(1)	1984 s. 12(5)
(2)	1984 s. 12(5)
(3)	1984 s. 12(5)
289(1)	1984 s. 12(6)(a)
(2)	1984 s. 12(6)(b)
(3)	1984 s. 12(7)
290(1)	1984 s. 14(1)
(2)	1984 s. 14(1)
(3)	1984 s. 14(2)
291(1)	1984 s. 14(3)
(2)	1984 s. 14(4), (8)
(3)	1984 s. 14(5), (8)
(4)	1984 s. 14(6)
(5)	1984 s. 14(7)
292(1)	1984 s. 16(1)
(2)	1984 s. 16(2)
293(1)	1984 s. 3(10)
(2)	1984 ss. 8(10)(a), 9(11)
294	Drafting
295	1984 s. 23
296(1)	1984 s. 19(1)

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(2)	1984 s. 19(2)
(3)	1984 s. 19(3)
(4)	1984 s. 19(5)
(5)	1984 s. 19(6)
(6)	1984 s. 19(7), (8)
297(1)	1984 s. 19(3)
(2)	1984 s. 19(4), 24(1)
(3)	1984 s. 19(3), (4)(c)
298(1)	1984 s. 15(1)
(2)	1984 s. 15(2)
299	1984 s. 18
300(1)	1984 Sch. 4 para. 1
(2)	1984 Sch. 4 paras. 2(1)(a)(3)
(3)	1984 Sch. 4 para. 3(1)(a)(3)
(4)	1984 Sch. 4 para. 2(1)(b), 3(1)(b)
(5)	1984 Sch. 4 para. 2(2), 3(2)
(6)	1984 s. 24(1)
301	1984 s. 27(4)
302(1)	1984 s. 27(2)
(2)	1984 s. 27(2)
(3)	1984 s. 27(3)
303	Drafting
Part XV	
304(1)	1966 s. 25(1); 1969 Sch. 6 para. 11, Sch. 7; 1974 Sch. 3 para. 8
(2)	1966 s. 25(2)
(3)	1966 s. 25(3)
305(1)	1974 s. 30(1); 1978 Sch. 2 para. 25(a)
(2)	1974 s. 30(2)
(3)	1974 s. 30(3); 1978 Sch. 2 para. 25(b)
(4)	1974 s. 30(4); 1978 Sch. 2 para. 25(b)
306(1)	1969 s. 21(1); 1974 Sch. 3 para. 30
(2)	1969 s. 21(2); S.I. 1983/1804
(3)	1969 s. 21(5)
(4)	1969 s. 21(3)

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(5)	1969 s. 21(4); 1974 Sch. 3 para. 30
(6)	1969 s. 21(5)
307	1969 s. 23 R.7
308(1)	1969 s. 18(1); 1974 Sch. 3 para. 26; 1978 Sch. 2 para. 30
(2)	1969 s. 18(2)
(3)	1969 s. 18(3)
309(1)	1967 s. 18(1); 1969 Sch. 6 para. 32; 1974 Sch. 3 para. 15; 1978 Sch. 2 para. 30
(2)	1967 s. 18(2); 1969 Sch. 6 para. 32
(3)	1967 s. 18(3)
(4)	1967 s. 18(5)
(5)	1967 s. 18(6)
310	1969 s. 19; 1974 Sch. 3 para. 27; 1978 Sch. 2 para. 31
311(1)	1969 s. 20(1); 1974 Sch. 3 para. 28; 1978 Sch. 2 para. 32
(2)	1969 s. 20(2); 1974 Sch. 3 para. 29
(3)	1969 s. 20(3)
312	1966 s. 161
Part XVI	
313(1)	1966 s. 169(1)
(2)	1966 s. 169(2)
(3)	1966 s. 169(3)
(4)	1966 s. 169(3)
(5)	1966 s. 169(2); 1969 Sch. 6 para. 22
314	1966 s.170
315(1)	1966 s. 171(1)
(2)	1966 s. 171(1) proviso
(3)	1966 s. 171(2)
(4)	1966 s. 171(3)
(5)	1966 s. 171(4)
(6)	1966 s. 171(5)
316	1966 s. 172; 1973 (c. 65) s. 237(2)
317(1)	1966 s. 183; 1968 s. 66; 1969 s. 66; 1974 s. 49(1)

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(2)	1966 s. 183(2)
(3)	1966 s. 183(3)
318	1966 s. 184; 1982 (c. 48) s. 54 Sch. 6 para 22
319(1)	1966 ss. 169(2), 185(1); 1969 Sch. 6 para. 26, Sch. 7
(2)	1966 s. 185(2); 1980 s. 65(1)(g); 1982 (c. 48) s. 54 Sch. 6 para. 23
320	1966 s. 186; 1969 (c. 19) s. 10(1); 1982 (c. 48) s. 54
321(1)	1966 s. 118(1); R.8
(2)	R.8
(3)	1966 s. 118(2)
(4)	1966 s. 118(2) proviso
322	1966 s. 187
323	1966 s. 188
324	1966 s. 190(2)-(5); 1969 Sch. 6 para. 27; 1971 (c. 58) s. 35
325(1)	1966 s. 192(4); 1969 Sch. 6 para. 28(1); 1974 Sch. 3 para. 13
(2)	1966 s. 192(5); 1982 (c. 48) s. 54
326(1)	1966 s. 192(6); 1969 Sch. 6 para. 28(b); 1974 Sch. 3 para. 13
(2)	1966 s. 192(7); 1969 Sch. 6 para. 28(c); 1974 Sch. 3 para. 13
327	1974 (c. 44) s. 121
328	1974 (c. 44) s. 122
329(1)	1966 s. 193(1)
(2)	1966 s. 194(1)
(3)	1966 s. 194(2)
(4)	1966 s. 194(3)
(5)	1966 s. 194(4)
(6) ***	1966 s. 196(3)
330	1966 s. 197; R.1
331	1966 s. 198; 1974 s. 48(4)
332	1966 s. 199; R.1
333	1966 s. 200; R.1
334	1966 s. 203



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335	1966 s. 205
336(1)	1954 s. 14(1)
(2)	1954 s. 14(1)
(3)	1954 s. 14(1)
(4)	1954 s. 14(1)
337	1966 s. 204
338(1)	1966 ss. 1 and 208(1); 1973 Sch. 12 para. 6; 1974 Sch. 13 para. 15
“development corporation”	1968 s. 67(2);
“Exchequer contribution”	1968 s. 67(2);
“financial year”	1968 s. 67(2);
“house”	1966 s. 208(1); 1972 s. 78(1); R.9
“housing action area”	1974 s. 49;
“housing association”	1974 s. 49;
“improvement”	1974 s. 49;
“improvement grant”	1974 s. 49;
“land”	1972 s. 78(1);
“loan charges”	1968 s. 67(2);
“local authority”	1966 s. 1; 1973 Sch. 12 para. 6;
“official representation”	1966 s. 180(1); 1973 (c. 65) Sch. 27 Part I para. 2;
“order for possession”	1974 s. 49;
“overspill agreement”	1972 s. 78(1);
“owner”	1966 s. 208(1); 1974 s. 49;
“prescribed”	1966 s. 208(1); 1974 s. 49; 1980 s. 73; 1982 (c. 43) Sch. 3 para. 33;
“proper officer” drafting;	
“public undertakers”	1973 (c. 65) s. 235(2);
“repair grants”	1974 s. 49;
“a service charge”	1972 s. 78(1);
“standard amenities”	1974 s. 49;
“superior”	1966 s. 208(1); 1974 Sch. 13 para. 15;
“tenancy”	1974 s. 49;
“tolerable standard”	1974 s. 49
“year”	1972 s. 78(1);
“the year 1986-87”	1972 s. 78(1)

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(2)	1966 s. 208(2)
(3)	1966 s. 208(3)
339	Drafting
340	Drafting
SCHEDULES	
Sch. 1	1966 Sch. 4
Sch. 2	1980 Sch. 1; 1986 s. 10, Sch. 1 para. 18
Sch. 3	
Part I	1980 Sch. 2 Pt. I
para. 6	1986 Sch. 1 para. 19(b)
para. 10	1986 Sch. 1 para. 19(a)
para. 15	1984 (c. 18) s. 6
para. 16	1986 s. 11
Part II	1980 Sch. 2 Pt. II
Sch. 4	1980 s. 21(7), Sch. 3
Sch. 5	1980 s. 23(3), Sch. 4
Sch. 6	1980 s. 1A(3) Sch. A1; 1981 s. 35(3)
Sch. 7	
Part I	
para. 1	1974 (c. 44) Sch. 10A para. 1; 1975 (c. 28) Sch. 3 para. 18; 1978 (c. 14) Sch. 2 para. 15
(1)-(9)	para. 1(1)-(9)
para. 2	para. 2(1)-(3)
Part II	
para. 3	para. 4; 1978 (c. 14) Sch. 2 para. 15
(1)-(6)	para. 4(1)-(6)
(7)	para. 4(7); 1978 Sch. 2 para. 15
para. 4	para. 5
para. 5	para. 6
para. 6	para. 7(1)-(3)
para. 7	para. 8
para. 8	para. 9
para. 9	para. 10(1)-(4)
para. 10	para. 11(1)-(6)
para. 11	para. 12

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para. 12	para. 13
Part III	
para. 13	para. 14(1)-(9)
para. 14	para. 15
Sch. 8	
Part I	
para. 1	1974 s. 20(1)-(4)
para. 2	1974 s. 21
Pt. II	
para. 3	1974 s. 22(1), (2)
para. 4	1974 s. 23
para. 5	1974 s. 26(1)-(4)
para. 6	1974 s. 28
para. 7	1974 s. 31
para. 8	1974 s. 32
para. 9	1974 s. 33
para. 10	1974 s. 34(1)-(7)
para. 11	1974 s. 36A; 1984 (c. 12) Sch. 4 para. 61
Pt. III	
para. 12 (1),(3),(4)	1974 s. 29(1), (3), (4)
(2)	1974 s. 29(2); 1978 Sch. 2 para. 42(a) and (b)
Pt. IV	
para. 13(1)-(3)	1966 s. 80; 1974 s. 25
(4)	1966 s. 87(1), (2); 1974 s. 25(1)
Sch. 9	1969 Sch. 2
Sch. 10	
para. 1(1)	1966 s. 6(1); 1969 Sch. 6 para. 3(a); 1974 Sch. 3 para. 4
(2)	1966 s. 6(2)
(3)	1966 s. 6(3)
(4)	1966 s. 6(3A); 1969 Sch. 6 para. 3(b)
(5)	1966 s. 6(4); 1969 Sch. 6 para. 3(c)
para. 2	1966 s. 7(1)
para. 3	1966 s. 8(1)-(5)

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para. 4	1966 s. 9(1)-(5)
para. 5	1966 s. 10(1), (2)
Sch. 11	
Pt. I	
para. 1	1966 s. 126(2)-(5)
para. 2	1966 s. 127(1)-(8)
Pt. II	
para. 3	1966 s. 131(1)-(4)
para. 4	1966 s. 132(1)-(3)
para. 5	
(1)-(6)	1966 s. 133(4)-(9)
(7)	1966 s. 133(11)
para. 6	
(1)-(7)	1966 s. 130(3)-(9)
(8)	1966 s. 130(10); 1981 (c. 23) Sch. 2 para. 11
para. 7	
(1)	1966 s. 135(1)
(2)	1966 s. 135(1); 1974 c. 44 Sch. 13 para. 12
(3)	1966 s. 135(2); 1974 c. 44 Sch. 13 para. 12
(4)	1966 s. 135(2A); 1974 c. 44 Sch. 13 para. 12
(5)	1966 s. 135(3)
(6)	1966 s. 135(4)
Pt. III	
para. 8	1966 Sch. 6 para. 1
para. 9	1966 Sch. 6 para. 3
para. 10	1966 Sch. 6 para. 4
Pt. IV	
para. 11	1966 s. 109(3)-(6); 1969 Sch. 6 para 14
Sch 12	1978 s. 7, Sch. 1
Sch 13	1968 Sch. 5; 1969 Sch. 6 para. 45; 1974 Sch. 3 para. 24
Sch 14	1968 Sch. 6; 1969 Sch. 6 para. 46; 1974 Sch. 3 para. 25

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Sch 15	
Pt. I	
para. 1(1)	1972 s. 23(1)
(2)	1972 s. 23(2)
(3)	1972 s. 23(6)
Pt. II	
para. 2	1972 Sch. 4 para. 1; 1978 Sch. 2 Pt. II para. 37
para. 3	1972 Sch. 4 para. 2; 1978 Sch. 2 Pt. II para. 38; 1986 Sch. 2 para. 2
para. 4	1972 Sch. 4 para. 3
para. 5	1972 Sch. 4 para. 7
para. 6	1972 Sch. 4 para. 8
para. 7	1972 Sch. 4 para. 9
para. 8	1972 Sch. 4 para. 10
para. 9	1972 Sch. 4 para. 11; 1975 (c. 28) Sch. 1 Pt. I para. 1(4); 1980 s. 28(2)
para. 10	1972 Sch. 4 para. 12
Sch 16	1972 Sch. 5
Sch 17	1968 s. 49(3); 1974 (c. 45) s. 45(4)
para. 3	R.10
Sch 18	
Pt. I	1974 Sch. 1 Pt. I; S.I. 1983/492
Pt. II	1974 Sch. 1 Pt. II
Sch 19	
para. 1	1974 Sch. 2 para. 1; 1981 (c. 23) Sch. 3 para. 31(a)
para. 2	1974 Sch. 2 para. 2
para. 3	1974 Sch. 2 para. 4
para. 4	1974 Sch. 2 para. 5
para. 5	1974 Sch. 2 para. 6
para. 6	1974 Sch. 2 para. 7; 1978 Sch. 2 para. 29; 1981 Sch. 3 para. 31(b); S.I. 1980/1412
para. 7	1974 Sch. 2 para. 8
para. 8	1974 Sch. 2 para. 9; 1981 Sch. 2 para. 36

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Sch. 20	
Pt. I	
para. 1	1984 s. 7(1)
para. 2	1984 s. 7(1)
para. 3	1984 s. 7(2), (3)
para. 4	1984 s. 7(4)
para. 5	1984 s. 7(5)
para. 6	1984 s. 7(6)
para. 7	1984 s. 7(7)
para. 8	1984 s. 7(8)
Pt. II	
para. 9	1984 Sch. 2 para. 1(1), (2)
para. 10	
(1)	1984 Sch. 2 para. 2(1), 2(a)-(c), (e), (3)
(2)	1984 Sch. 2 para. 2(2)(d)
(3)	1984 Sch. 2 para. 2(1)
para. 11	
(1)	1984 Sch. 2 para. 3(1)
(2)	1984 Sch. 2 para.(8)
(3)	1984 Sch. 2 para. 3(6)
(4)	1984 Sch. 2 para. 3(5)
para. 12	1984 Sch. 2 para. 5
Sch. 21	
para. 1	1984 s. 13(1)-(4)
para. 2	1984 s. 13(1)
para. 3	1984 s. 13(2)
para. 4	1984 s. 13(3), (4)(a)
para. 5	1984 s. 13(3)
para. 6	1984 s. 13(4)(b), (5), (6)
para. 7	1984 s. 13(7), (8)
Sch. 22	
Pt. I	Drafting
para. 6	1966 s. 212(3)
para. 7	S.I. 1986/2139
Pt. II	Drafting

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*Status: Point in time view as at 30/06/2011.*

**Changes to legislation:** *Housing (Scotland) Act 1987 is up to date with all changes known to be in force on or before 02 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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Sch. 23	Drafting
para. 1	1974 Sch. 3 paras. 1, 2
para. 4	1974 Sch. 13 para. 1
para. 10	1969 Sch. 9; 1974 Sch. 3 para. 3; 1966 Sch. 9
para. 15	1974 Sch. 3 para. 33
para. 18	1974 Sch. 3 para. 47
Sch. 24	Drafting

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**Status:**

Point in time view as at 30/06/2011.

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