



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART XIV

#### ASSISTANCE FOR OWNERS OF DEFECTIVE HOUSING

##### *Miscellaneous*

#### **295 Application of Act in relation to lenders on security of defective dwelling**

- (1) The Secretary of State may by regulations made by statutory instrument subject to annulment by either House of Parliament make provision for the purpose of conferring rights and obligations on any person who has granted a loan on the security of a defective dwelling where—
  - (a) a power of sale is exercisable by the lender, and
  - (b) the borrower is eligible for assistance in respect of the defective dwelling.
- (2) The rights that may be conferred on a lender by regulations under this section are—
  - (a) rights corresponding to those conferred by this Part on a person holding a relevant interest in the defective dwelling, and
  - (b) the right to require the local authority to acquire in accordance with the regulations any interest in the defective dwelling to be disposed of in exercise of the power of sale,and the rights that may be so conferred may be conferred in place of any rights conferred on any other person by this Part.
- (3) Regulations under this section may provide that, where the conditions in subsection (1) (a) and (b) are or have been satisfied, this Part, the power of sale and any enactment relating to the power of sale in question shall have effect subject to such modifications as may be specified in the regulations.
- (4) Regulations under this section—
  - (a) may make different provision for different cases, and
  - (b) may make incidental and consequential provision.