



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART XIV

#### ASSISTANCE FOR OWNERS OF DEFECTIVE HOUSING

##### *Supplementary provisions*

#### **300 Meaning of "public sector authority"**

(1) In this Part—

(a) "public sector authority" means—

a regional, islands or district council (or a predecessor of such a council),  
a joint board and a joint committee of which every constituent member  
is, or is appointed by, such a council or predecessor of such a council,  
a water authority,

the Housing Corporation,

the Scottish Special Housing Association,

a registered housing association other than a co-operative housing  
association (or a predecessor housing association of such an  
association),

a development corporation,

the National Coal Board, or

the United Kingdom Atomic Energy Authority,

or a body corporate or housing association specified by order of the  
Secretary of State in accordance with the following provisions;

(b) "co-operative housing association" means a fully mutual housing association  
which is a society registered under the Industrial and Provident Societies Act  
1965, and "fully mutual", in relation to a housing association, means that the  
rules of the association—

(i) restrict membership to persons who are tenants or prospective tenants  
of the association, and

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*Status: This is the original version (as it was originally enacted).*

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- (ii) preclude the granting or assignation of tenancies to persons other than members.
- (2) The Secretary of State may provide that a body corporate shall be treated as a public sector authority if he is satisfied—
- (a) that the affairs of the body are managed by its members, and
  - (b) that its members hold office by virtue of appointment (to that or another office) by a Minister of the Crown under an enactment,
- or if he is satisfied that it is a subsidiary of such a body.
- (3) The Secretary of State may provide that a housing association shall be treated as a public sector authority if he is satisfied that the objects or powers of the association include the provision of housing accommodation for individuals employed at any time by a public sector authority or dependants of such individuals.
- (4) Where the Secretary of State is satisfied that a body or association met the requirements of subsection (2) or (3) during any period, he may, whether or not he makes an order in respect of the body or association under that subsection, provide that it shall be treated as having been a public sector authority during that period.
- (5) If the Secretary of State is satisfied that a body or association specified in an order under subsection (2) or (3) has ceased to meet the requirements of that subsection on any date, he may by order provide that it shall be treated as having ceased to be a public sector authority on that date.
- (6) An order under this section shall be made by statutory instrument.