



# Housing (Scotland) Act 1988

## 1988 CHAPTER 43

### PART II

#### RENTED ACCOMMODATION

##### *General provisions*

#### 55 Interpretation of Part II.

(1) In this Part of this Act, except where the context otherwise requires—

[<sup>F1</sup>“council tax” means the tax payable under the Local Government Finance Act 1992;]

[<sup>F2</sup>“First-tier Tribunal” means the First-tier Tribunal for Scotland;]

[<sup>F3</sup>“First-tier Tribunal” means the First-tier Tribunal for Scotland Housing and Property Chamber;]

“house” includes a part of a house;

“landlord” includes any person from time to time deriving title from the original landlord and also includes, in relation to a house, any person other than a tenant who is, or but for the existence of an assured tenancy would be, entitled to possession of the house;

“let” includes “sub-let”;

“order for possession” means decree of removing or warrant of ejection or other like order; and “proceedings for possession” shall be construed accordingly;

“prescribed” means prescribed by regulations made by the Secretary of State;

<sup>F4</sup> .....

“statutory assured tenancy” shall be construed in accordance with section 16(1) of this Act;

“tenancy” includes “sub-tenancy” and an agreement for a tenancy or sub-tenancy; <sup>F5</sup> ...

“tenant” includes a sub-tenant and any person deriving title from the original tenant or sub-tenant<sup>F6</sup>; and

*Status: Point in time view as at 01/10/2022.*

*Changes to legislation: Housing (Scotland) Act 1988, Section 55 is up to date with all changes known to be in force on or before 06 August 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)*

F4 .....]

- (2) Any reference in this Part of this Act to the beginning of a tenancy is a reference to the day when the lease of the house let on the tenancy commences.
- (3) Where two or more persons jointly constitute either the landlord or the tenant in relation to a tenancy, then, except where otherwise provided, any reference in this Part of this Act to the landlord or to the tenant is a reference to all the persons who jointly constitute the landlord or the tenant, as the case may require.

#### Textual Amendments

- F1** Definition inserted (1.4.1993) by [S.I. 1993/658, art. 2, Sch. 2 para. 11](#)
- F2** Words in s. 55(1) inserted (1.12.2017) by [Housing \(Scotland\) Act 2014 \(asp 14\), s. 104\(3\), sch. 1 para. 47](#); [S.S.I. 2017/330, art. 3, sch.](#)
- F3** Words in s. 55(1) inserted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\), reg. 1\(2\), Sch. 2 para. 2\(17\)](#) (with [Sch. 1](#))
- F4** Words in s. 55(1) repealed (25.6.2003) by [The Water Industry \(Scotland\) Act 2002 \(Consequential Provisions\) Order 2003 \(S.S.I. 2003/331\), art. 1, Sch. para. 6\(3\)](#)
- F5** S. 55(1): Word repealed (1.4.1996) by [1994 c. 39, s. 180\(1\)\(2\), Sch. 13 para. 157\(4\)\(b\), Sch. 14](#) (with [s. 128\(8\)](#)); [S.I. 1996/323, art. 4](#)
- F6** S. 55(1): Word and definition of “water authority” inserted (1.4.1996) by [1994 c. 39, s. 180\(1\), Sch. 13 para. 157\(4\)\(c\)](#) (with [s. 128\(8\)](#)); [S.I. 1996/323, art. 4](#)

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**Changes to legislation:**

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