



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 6

#### MOBILE HOMES

#### **170 Power to amend terms implied in site agreements**

(1) After section 2A of the 1983 Act insert—

##### **“2B Power to amend implied terms: Scotland**

- (1) The Scottish Ministers may by order make such amendments of Part 1 or 2 of Schedule 1 to this Act as they consider appropriate.
- (2) An order under this section—
  - (a) shall be made by statutory instrument;
  - (b) may make different provision with respect to different cases or descriptions of case;
  - (c) may contain such incidental, supplementary, consequential, transitional or saving provisions as the Scottish Ministers consider appropriate.
- (3) Without prejudice to the generality of subsections (1) and (2), an order under this section may—
  - (a) make provision for or in connection with the determination by the court of such questions, or the making by the court of such orders, as are specified in the order;
  - (b) make such amendments of any provision of this Act as the Scottish Ministers consider appropriate in consequence of any amendment made by the order in Part 1 or 2 of Schedule 1.
- (4) The first order made under this section may provide for all or any of its provisions to apply in relation to agreements to which this Act applies that were made at any time before the day on which the order comes into force (as well as in relation to such agreements made on or after that day).

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) No order may be made under this section unless the Scottish Ministers have consulted—
- (a) such organisations as appear to them to be representative of interests substantially affected by the order; and
  - (b) such other persons as they consider appropriate.
- (6) No order may be made under this section unless a draft of the order has been laid before, and approved by a resolution of, the Scottish Parliament.”.
- (2) For the purposes of subsection (5) of the section 2B inserted by this section, consultation undertaken before the date on which this section comes into force (including any undertaken before the Bill for this Act received Royal Assent) constitutes as effective compliance with that subsection as if it had been undertaken on or after that date.