

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Private Rented Housing (Scotland) Act 2011. (See end of Document for details)

SCHEDULE

(introduced by section 12)

MINOR AND CONSEQUENTIAL MODIFICATIONS

Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)

1 The 2004 Act is amended as follows.

Commencement Information

I1 Sch. para. 1 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

2 In section 84 (registration)—

- (a) in subsection (2), after “Where” insert “(subject to subsections (7) and (8))”,
- (b) after subsection (6) add—

“(7) The local authority may refuse to enter a person in the register maintained by the authority under section 82(1) if the person fails to comply with the duty, if applicable, imposed by section 92B(3).

(8) The local authority must refuse to enter a person in the register maintained by the authority under section 82(1) if the person is disqualified by an order made under section 93A(2).”.

Commencement Information

I2 Sch. para. 2 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

3 In section 86 (notification of registration or refusal to register)—

- (a) in subsection (1)(b), after “section” insert “ or subsection (7) or (8) of section 84 ”,
- (b) in subsection (2), after “84(2)(b),” insert “ (7) or (8), ”.

Commencement Information

I3 Sch. para. 3 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

4 In section 89 (removal from register), after subsection (3) add—

“(4) Where a registered person, without reasonable excuse, fails to comply with the duty imposed by section 92B(1) the authority may remove the person from the register.

(5) Where—

- (a) a person is registered by a local authority; and
- (b) the person is disqualified from being registered by virtue of an order under section 93A(2),

the authority shall remove the person from its register.”.

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I4 Sch. para. 4 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 5 In section 90(1) (notification of removal from register: registered person), after “89(1)” insert “, (4) or (5)”.

Commencement Information

I5 Sch. para. 5 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 6 In section 91(1) (notification of removal from register: other persons), after “89(1)” insert “, (4) or (5)”.

Commencement Information

I6 Sch. para. 6 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 7 In section 92(1) (appeal against refusal to register or removal from register)—
 (a) in paragraph (a), after “84(2)(b)” insert “, (7) or (8)”,
 (b) in paragraph (b), after “89(1)” insert “ or (4)”.

Commencement Information

I7 Sch. para. 7 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 8 In section 93(5) (offences), after paragraph (aa) insert—
 “(aaa) the relevant person is not disqualified from being registered by virtue of an order under section 93A(2);”.

Commencement Information

I8 Sch. para. 8 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

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