

HOUSING (SCOTLAND) ACT 2010

EXPLANATORY NOTES

STRUCTURE OF THE ACT

Part 17 – Supplementary and Final Provisions

Offences by bodies corporate etc.

193. [Section 159](#) sets out the position where an offence is committed by a social landlord, a body corporate, a Scottish partnership or an unincorporated association. It provides that where the offence was committed with the consent of or if it is attributable to any neglect of a relevant individual (defined in subsection (2)) of these bodies, the individual, as well as the offender, is also guilty of an offence.

Formal communications

194. [Section 160](#) deals with formal communications. A formal communication is any notice, notification, direction, consent, order, licence, application (other than to a court) or decision that is served, given or made under the Act or for the purposes of the Act. There is provision about how such communications are to be made and served.

Orders

195. [Section 161](#) sets out the general provisions applying to subordinate legislation to be made under the Act.

Minor and consequential amendments

196. [Section 162](#) introduces schedule 2 which makes changes to other legislation required as a consequence of the Act.

Ancillary provisions

197. [Section 163](#) gives the Scottish Ministers a free-standing power to make orders containing such ancillary provision as is necessary or expedient for the purposes or in consequence of the Act.

Connected bodies

198. [Section 164](#) defines what is meant by a body that is connected to a registered social landlord or a local authority landlord. A body is considered to be connected if the RSL or local authority landlord is able to direct the body in accordance with its wishes and if the connected body can direct the RSL or local authority landlord in accordance with its wishes. A body that is a subsidiary of a social landlord (including a registered social landlord or local authority landlord), a body which has a social landlord as a subsidiary, and a body which is the subsidiary of a body of which the social landlord is a subsidiary, is also a connected body. “Subsidiary” has the same meaning in section 164 of the Act as in the [Companies Act 2006 \(c.46\)](#) or, as the case may be, the [Co-operative and Community Benefit Societies and Credit Unions Act 1968 \(c.55\)](#).

*These notes relate to the Housing (Scotland) Act 2010
(asp 17) which received Royal Assent on 9 December 2010*

Interpretation

199. [Section 165](#) clarifies the meaning of various expressions used in the Act.

Commencement

200. [Section 166](#) allows the Scottish Ministers to set different dates to commence different provisions of the Act.

Short title

201. [Section 167](#) gives the short title of the Act.