
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 336 (C. 15)

HOUSING

**The Housing (Scotland) Act 2001 (Commencement
No. 1, Transitional Provisions and Savings) Order 2001**

Made - - - - 27th September 2001

The Scottish Ministers, in exercise of the powers conferred by sections 109(2) and 113(1) and (2) of the Housing (Scotland) Act 2001⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Housing (Scotland) Act 2001 (Commencement No. 1, Transitional Provisions and Savings) Order 2001.

(2) In this Order, “the Act” means the Housing (Scotland) Act 2001.

Commencement of Provisions

2.—(1) This article has effect subject to the provisions of article 3 below.

(2) The provisions of the Act which are specified in Part I of the Schedule to this Order shall come into force on 1st October 2001.

(3) The provisions of the Act which are specified in Part II of the Schedule to this Order shall come into force on 1st November 2001 but, where a particular purpose in relation to any such provision is specified in column 2 of that Part of that Schedule, that provision shall come into force on that day only for that purpose.

Transitional Provisions and Savings

3.—(1) Notwithstanding the commencement of Part 3 of, and Schedule 9 to, the Act, the references in that Part and that Schedule to a Scottish secure tenancy shall, until such time as the provisions in Chapter 1 of Part 2 of the Act come into force, be construed as references to a secure tenancy within the meaning of Part III of the Housing (Scotland) Act 1987⁽²⁾.

(2) Section 61 of the Housing (Scotland) Act 1987 shall, until such time as the provisions in Chapter 2 of Part 2 of the Act come into force for all purposes, apply, on and after 1st November

(1) 2001 asp 10.
(2) 1987 c. 26.

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2001, to a registered social landlord as it applied to a registered housing association immediately before that date.

St Andrew's House,
Edinburgh
27th September 2001

J BAILLIE
A member of the Scottish Executive

SCHEDULE

Article 2

PART I

PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST OCTOBER 2001

Sections 1, 2, 88, 95, 108 and 111.

PART II

PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST NOVEMBER 2001

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Purpose</i>
Sections 57 to 83	
Sections 90 to 94	
Section 106	
Section 107	
Section 112	Only for the purpose of bringing into force the modifications in Schedule 10 specified in the Table below.
Schedules 7 to 9	
In Schedule 10, the modifications specified in the Table below	

TABLE

Modifications

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Modifications</i>
1968 c. 55	Friendly and Industrial and Provident Societies Act 1968	The amendments listed in paragraph 2 of Schedule 10 to the Act.
1984 c. 58	Rent (Scotland) Act 1984	The amendments listed in paragraphs 9(2) and 9(4) of Schedule 10 to the Act.
1985 c. 69	Housing Associations Act 1985	The amendments listed in paragraph 11 of Schedule 10 to the Act.
1986 c. 65	Housing (Scotland) Act 1986	The amendment listed in paragraph 12 of Schedule 10 to the Act.
1987 c. 26	Housing (Scotland) Act 1987	In section 239A, the amendments listed in

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<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Modifications</i>
		paragraph 13(24) of Schedule 10 to the Act.
		In section 256A, the amendment listed in paragraph 13(35) of Schedule 10 to the Act.
1988 c. 43	Housing (Scotland) Act 1988	In section 56, the amendments listed in paragraph 14(5)(a) and (b) of Schedule 10 to the Act.
		In section 57, the amendments listed in paragraph 14(6) of Schedule 10 to the Act.
		In section 58, the amendments listed in paragraph 14(7) of Schedule 10 to the Act.
		In section 63, the amendments listed in paragraph 14(8) of Schedule 10 to the Act.
		In Schedule 2, the amendments listed in paragraph 14(11) of Schedule 10 to the Act, but only insofar as they commence the repeal of paragraph 6.
		In Schedule 4, the amendment listed in paragraph 14(12)(c) of Schedule 10 to the Act.
		In Schedule 9, the amendments listed in paragraph 14(15) of Schedule 10 to the Act, but only insofar as they commence the repeal of paragraphs 6, 8 and 9.
1988 c. 50	Housing Act 1988	The amendments listed in paragraphs 15(2) and (8) of Schedule 10 to the Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force various provisions of the Housing (Scotland) Act 2001.

Article 2(2) and Part I of the Schedule bring into force on 1st October 2001 the provisions listed in that Part.

Article 2(3) and Part II of the Schedule bring into force on 1st November 2001 the provisions listed in that Part, subject to any restriction of purpose specified.

Article 3 makes transitional and savings provisions.