
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 114

**The Housing (Scotland) Act 2006 (Commencement No. 7,
Savings and Transitional Provisions) Amendment Order 2010**

Amendment of the principal Order

2. After article 4 of the Housing (Scotland) Act 2006 (Commencement No. 7, Savings and Transitional Provisions) Order 2009⁽¹⁾ insert—

4A. Notwithstanding the repeal of sections 108 and 109 (repair notices) of the 1987 Act, those sections shall continue to have effect until 1st April 2012 in respect of repair notices served before 1st April 2010.

4B. Notwithstanding the repeal of section 110 (recovery by lessee of expenses etc.) of the 1987 Act, that section shall continue to have effect in respect of expenditure incurred in complying with a repair notice served before 1st April 2010, and payment of the expenses of a local authority who has carried out the works specified in such a repair notice.

4C. Notwithstanding the repeal of section 111 (appeals) of the 1987 Act, that section shall continue to have effect in respect of—

- (a) a repair notice served before 1st April 2010;
- (b) a demand for the recovery of expenses incurred by a local authority in executing works, specified in a repair notice served before 1st April 2010;
- (c) an order made by a local authority with respect to any such expenses; and
- (d) a charging order made under Schedule 9 to the 1987 Act with respect to any such expenses.

4D. Notwithstanding the repeal of section 112 (date of operation of notices etc.) of the 1987 Act, that section shall continue to have effect in respect of any notice, demand or order against which an appeal might be brought under section 111 of the 1987 Act (as it has effect by virtue of article 4C of this Order).

4E. Notwithstanding the repeal of sections 108, 109, 111 and 112 (repair notices) of the 1987 Act, those sections shall continue to have effect for the purposes of paragraph 11 of Schedule 11 (recovery of expenses by local authority executing works under s.164) to the 1987 Act.

4F. Notwithstanding the repeal of section 219(1)(a) (interest rates on home loans) of the 1987 Act, that subsection shall continue to have effect in respect of any advance of money made before 1st April 2010.”