

SCHEDULE 2

Transitional and savings provisions

Organisational changes: notices and consents

21.—(1) Sub-paragraph (2) applies where a registered social landlord which is a registered company has, before the appointed day—

- (a) applied to the Scottish Ministers for consent for the purposes of paragraph 10 of schedule 7 to the 2001 Act; or
 - (b) taken steps to consult tenants for the purposes of sub-paragraph (7) of that paragraph.
- (2) Where this sub-paragraph applies, on and after the appointed day—
- (a) sections 100 to 104 of the 2010 Act do not apply in relation to the matter to which the application or consultation relates but paragraph 10 of schedule 7 to the 2001 Act is to continue to apply in relation to that matter with the following modifications—
 - (i) references in that paragraph to the Scottish Ministers are to be treated as references to the Regulator;
 - (ii) the reference in paragraph 10(9) to being deemed to be registered as a social landlord is to be treated as a reference to being included in the register kept under section 20 of the 2010 Act (without prejudice to the Regulator’s power to removed the body under section 27 or 28 of the 2010 Act); and
 - (b) anything done by or in relation to the Scottish Ministers before the appointed day in relation to the matter (including any consent given by them) is to be regarded as having been done by or in relation to the Regulator.
- (3) Sub-paragraph (2) ceases to have effect on 1st October 2012 if—
- (a) the Scottish Ministers had not given consent in relation to the matter before the appointed day; and
 - (b) the Regulator is, on 1st October 2012, not satisfied that the registered social landlord has consulted its tenants for the purposes of paragraph 10(7) of schedule 7 to the 2001 Act.