

2015 No. 144

HOUSING

The Housing (Scotland) Act 2006 (Repayment Charge and Discharge) Amendment Order 2015

Made - - - - - *25th March 2015*
Laid before the Scottish Parliament *27th March 2015*
Coming into force - - - *11th May 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 174 of the Housing (Scotland) Act 2006(a) and section 102 of the Housing (Scotland) Act 2014(b) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Housing (Scotland) Act 2006 (Repayment Charge and Discharge) Amendment Order 2015 and comes into force on 11th May 2015.

Amendment of the Housing (Scotland) Act 2006 (Repayment Charge and Discharge) Order 2007

2. In Schedule 1 to the Housing (Scotland) Act 2006 (Repayment Charge and Discharge) Order 2007(c) from “payable in thirty” to the end of that Schedule substitute—

“ payable in³equal annual instalments of⁴, the first instalment being payable on⁵in 20.... and subsequent instalments on the same date in every succeeding calendar year.

In default of such payment each instalment together with any amount recoverable in respect of that instalment under section 172(6A) of the Housing (Scotland) Act 2006(a) is separately recoverable as a debt.

(a) 2006 asp 1.
(b) 2014 asp 14.
(c) S.S.I. 2007/419.

If immediately after the final instalment falls due any balance of the repayable amount remains unpaid, that balance is immediately due for repayment and is recoverable as a debt. IN WITNESS WHEREOF⁶

SCHEDULE
DESCRIPTION OF SUBJECTS⁷

Notes for guidance

¹ Insert the name and address of the local authority.

² Insert in words the repayment amount.

³ Insert the number of equal annual instalments, being no fewer than 5 and no more than 30.

⁴ Insert the amount of the annual instalment.

⁵ Insert a date after the making of the charge for the first instalment to be paid.

⁶ The deed should be executed here and at the end of the Schedule. The signature will require to be self proving in order to be accepted by the Keeper of the Registers of Scotland.

⁷ Insert a full description of the subjects by reference to the postal address and, as appropriate, either—

- (a) a description of the subjects sufficient to identify them and to enable recording in the General Register of Sasines, or
- (b) where the subjects are registered in the Land Register, the title number of the subjects or the larger property of which the subjects form part.

(a) 2006 asp 1; section 172(6A) was inserted by section 150(4)(b) of the Housing (Scotland) Act 2010 (asp 17). ”.

St Andrew's House,
Edinburgh
25th March 2015

MARGARET BURGESS
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the form of charge contained in Schedule 1 to the Housing (Scotland) Act 2006 (Repayment Charge and Discharge) Order 2007 so that it includes the information required by section 172 of the Housing (Scotland) Act 2006 following amendment by section 91 of the Housing (Scotland) Act 2014, and it ensures that the execution of a Repayment Charge is self proving.

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