



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART III

RIGHTS OF PUBLIC SECTOR TENANTS

General

83 Members of a person's family.

- (1) A person is a member of another's family for the purposes of this Act if—
- (a) he is the spouse [^{F1}or civil partner] of that person or he and that person live together as husband and wife [^{F2}or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex]; or
 - (b) he is that person's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- (2) For the purposes of subsection (1)(b)—
- (a) a relationship by marriage [^{F3}or by virtue of civil partnership] shall be treated as a relationship by blood;
 - (b) a relationship of the half-blood shall be treated as a relationship of the whole blood;
 - (c) the stepchild of a person shall be treated as his child; and
 - [^{F4}(ca) a person brought up or treated by another person as if the person were the child of the other person shall be treated as that person's child;]
 - (d) a child shall be treated as such whether or not his parents are married.

[^{F5}(3) Except in subsection (1)(a), references in this Act to a person's spouse include references to [^{F6}that person's civil partner or to] another person living together with that person as husband and wife or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex.]

Changes to legislation: Housing (Scotland) Act 1987, Section 83 is up to date with all changes known to be in force on or before 17 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in s. 83(1)(a) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 54(a)**; S.S.I. 2005/604, arts. 2(c), 4
- F2** Words in s. 83(1)(a) inserted (1.10.2001) by [2001 asp 10](#), **s. 108(3)(a)**; S.S.I. 2001/336, art. 2(2), **Sch. Pt. I** (with transitional provisions and savings in [art. 3](#)) (as amended by S.S.I. 2001/397, **art. 7(b)**)
- F3** Words in s. 83(2)(a) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 54(b)**; S.S.I. 2005/604, arts. 2(c), 4
- F4** S. 83(2)(ca) inserted (1.10.2001) by [2001 asp 10](#), **s. 108(3)(b)**; S.S.I. 2001/336, art. 2(2), **Sch. Pt. I** (with transitional provisions and savings in [art. 3](#)) (as amended by S.S.I. 2001/397, **art. 7(b)**)
- F5** S. 83(3) inserted (1.10.2001) by [2001 asp 10](#), **s. 108(3)(c)**; S.S.I. 2001/336, art. 2(2), **Sch. Pt. I** (with transitional provisions and savings in [art. 3](#)) (as amended by S.S.I. 2001/397, **art. 7(b)**)
- F6** Words in s. 83(3) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(c), **Sch. 28 para. 54(c)**; S.S.I. 2005/604, arts. 2(c), 4

Modifications etc. (not altering text)

- C1** S. 83 applied by [Housing \(Scotland\) Act 1988 \(c. 43\)](#), SIF 61), **ss. 37(4)**, 52
- C2** S. 83 modified (13.3.1992) by S.I. 1992/325, regs. 3, 5, 7, **Sch. 1**

Changes to legislation:

Housing (Scotland) Act 1987, Section 83 is up to date with all changes known to be in force on or before 17 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 83(1)(a) by [2001 asp 10 s. 108\(3\)\(a\)](#)
- s. 83(2)(ca) by [2001 asp 10 s. 108\(3\)\(b\)](#)
- s. 83(3) by [2001 asp 10 s. 108\(3\)\(c\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)