



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART IV

#### SUB-STANDARD HOUSES

##### *Powers of Secretary of State*

#### **94 Functions of Secretary of State, and duty of local authority to publish information**

- (1) A local authority shall, as soon as may be after passing a draft resolution under section 89, 90 or 91, submit the draft resolution and a copy of the map to the Secretary of State.
- (2) On receiving the draft resolution and a copy of the map, the Secretary of State shall send to the local authority a written acknowledgement of the receipt of the resolution and of the map.
- (3) If it appears to the Secretary of State to be appropriate to do so he may, at any time within the period of 28 days beginning with the day on which he sent an acknowledgement under subsection (2)—
  - (a) direct the local authority to rescind the resolution; or
  - (b) notify the local authority that he does not propose to direct them to rescind the resolution; or
  - (c) notify the local authority that he requires a further period for consideration of the resolution and as soon as practicable thereafter direct the local authority as mentioned in paragraph (a) or, as the case may be, notify them as mentioned in paragraph (b).
- (4) As soon as may be after the date on which a local authority are notified as mentioned in subsection (3)(a), the local authority shall rescind the draft resolution.
- (5) Where the local authority are notified as mentioned in subsection (3)(b) or, if after the expiry of the period of 28 days mentioned in subsection (3), the local authority

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*Status: This is the original version (as it was originally enacted).*

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have received no notification from the Secretary of State, the local authority shall as soon as may be—

- (a) publish in two or more newspapers circulating in the locality (of which one shall, if practicable, be a local newspaper) a notice that a draft resolution has been made and naming a place or places and times at which a copy of the resolution and a copy of the map may be inspected; and
  - (b) serve on every owner, lessee and occupier of any premises to which the draft resolution relates a notice stating the effect of the resolution.
- (6) Any notice for the purposes of subsection (5) shall be in such form, contain such information and be served in such manner as the Secretary of State may prescribe; and the Secretary of State may prescribe different requirements for the different resolutions.
- (7) Without prejudice to the generality of the provisions of subsection (6), a notice served under subsection (5)(b) shall state that such owner, lessee and occupier may, within two months from the date of service of the notice, make representations to the local authority concerning the draft resolution or any matter contained therein.