

Changes to legislation: Local Government and Housing Act 1989, Paragraph 99 is up to date with all changes known to be in force on or before 21 April 2024. 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](#)

SCHEDULES

SCHEDULE 11

MINOR AND CONSEQUENTIAL AMENDMENTS

The Housing (Scotland) Act 1988

- 99 In section 16 of the ^{M1}Housing (Scotland) Act 1988—
- (a) in paragraph (b) (ii) of subsection (1) (tenant under statutory assured tenancy not bound by certain original provisions for rent increases)—
 - (i) after the words “specified in” there shall be inserted the words “ or fixed by reference to factors specified in ”; and
 - (ii) after the words “there specified” there shall be inserted the words “ , or fixed by reference to factors there specified, ”; and
 - (b) after that subsection there shall be inserted the following subsection—
 - “(1A) The factors referred to in subsection (1) (b) (ii) above must be—
 - (a) factors which, once specified, are not wholly within the control of the landlord; and
 - (b) such as will enable the tenant at all material times to ascertain without undue difficulty any amount or percentage falling to be fixed by reference to them.”

Marginal Citations

M1 1988 c. 43.

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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. 65(2)(b)(ii) inserted by [2004 c. 23 Sch. 2 para. 11](#) (Pt. IV repealed (18.11.2003 for E. for the repeal of ss. 45, 53, 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E. in so far as not already in force) by Local Government Act 2003 (c. 26), s. 128(6), Sch. 7 para. 29; S.I. 2003/2938, arts. 3(h), 7(b) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 2))
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)