
Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Paragraph 157. (See end of Document for details)

SCHEDULE 13

MINOR AND CONSEQUENTIAL AMENDMENTS

The Housing (Scotland) Act 1988 (c.43)

- 157 (1) The Housing (Scotland) Act 1988 shall be amended in accordance with this paragraph.
- (2) In section 43(3)(a) (certain tenancies secure where interest of landlord belongs to local authority etc.), for sub-paragraphs (i) and (ii) substitute—
- “(i) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or a joint board or joint committee of two or more such councils, or the common good of such a council or any trust under the control of such a council; or
- (ia) a water authority or sewerage authority;”.
- (3) In section 45(4) (transfer of existing tenancies: public bodies), for paragraphs (a) and (b) substitute—
- “(a) it belongs to a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or a joint board or joint committee of two or more such councils, or the common good of such a council or any trust under the control of such a council; or
- (aa) it belongs to a water authority or sewerage authority;”.
- (4) In section 55(1) (interpretation of Part II of the Act)—
- (a) after the definition of “prescribed” insert—
- ““sewerage authority” shall be construed in accordance with section 62 of the Local Government etc. (Scotland) Act 1994;”;
- (b) the word “and”, where it occurs immediately after the definition of “tenancy”, shall cease to have effect; and
- (c) after the definition of “tenant” insert—
- “; and
- “water authority” shall be construed in accordance with the said section 62.”.
- (5) In section 56 (right conferred by Part III)—
- (a) in subsection (3), for paragraph (a) substitute—
- “(a) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or a joint board or joint committee of two or more such councils, or the common good of such a council or any trust under the control of such a council”;
- (b) in subsection (5)(c), for “islands or district council” substitute “ council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”;
- (c) in subsection (6)(a), for “an islands council” substitute “ the council for Orkney Islands, Shetland Islands or Western Isles ”; and

Changes to legislation: *There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Paragraph 157. (See end of Document for details)*

- (d) in subsection (9)(a), for “islands or district council” substitute “ council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”.
- (6) In section 57(1) (persons by whom right may be exercised)—
- (a) the word “neither” shall cease to have effect;
 - (b) the words from “nor” to “council”, where it thirdly occurs, shall cease to have effect; and
 - (c) after “may” insert “ not ”.
- (7) In Schedule 4 (tenancies which cannot be assured tenancies), in paragraph 11—
- (a) for sub-paragraph (a) substitute—
 - “(a) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or a joint board or joint committee of two or more such councils, or the common good of such a council or any trust under the control of such a council;
 - (aa) a water authority or sewerage authority;”;
 - (b) for the word “and”, where it occurs immediately after sub-paragraph (e), substitute “ or ”.

Changes to legislation:

There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Paragraph 157.