

# HOUSING (SCOTLAND) ACT 2001

---

## EXPLANATORY NOTES

### BACKGROUND AND OVERVIEW

#### Part 2 – Tenants of Social Landlords

##### Chapter 2 – Right to Buy

##### *Section 44: Limitation on right to buy: registered social landlords*

74. This section inserts a new section 61A into the 1987 Act suspending the right to buy for tenants of a registered social landlord. This is intended to ensure that registered social landlords have time to adjust to the new arrangements. *Subsection (3)* of the new section sets a time period for this suspension of 10 years from the date on which the tenancies of the landlord must be Scottish secure tenancies by virtue of an order under section 11(1).
75. *Subsection (4)* of the new section gives powers to the Scottish Ministers to extend this suspension for a further period or periods as they see fit, subject to a maximum of 10 years for each further period. *Subsections (7) to (9)* set out the arrangements whereby registered social landlords can end this suspension on a voluntary basis.
76. *Subsection (2)* of the new section sets out the tenancies which are not included in this suspension. These are tenancies:
- of properties acquired by the landlord after the date when the landlord becomes subject to the Act's provisions on Scottish secure tenancies by virtue of an order under section 11(1);
  - of properties built after that date where a grant was offered to the landlord;
77. There is a power for the Scottish Ministers to specify further exemptions by order.