

Status: Point in time view as at 01/04/2010. This version of this schedule contains provisions that are prospective.
Changes to legislation: Housing (Scotland) Act 2001, SCHEDULE 10 is up to date with all changes known to be in force on or before 24 December 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)

SCHEDULE 10
(introduced by section 112)
MODIFICATION OF ENACTMENTS

New Towns (Scotland) Act 1968 (c.16)

- 1 In the New Towns (Scotland) Act 1968, in—
- (a) section 36B (additional power to dispose of property etc.), and
 - (b) section 36D (transfer orders),
- the words “Scottish Homes,” in each place where they occur are repealed.

Commencement Information

- II** Sch. 10 para. 1 wholly in force at 1.11.2001, see s. 113 and S.S.I. 2001/397, art. 2(2), Sch. (subject to transitional provisions in arts. 3-6)

Friendly and Industrial and Provident Societies Act 1968 (c.55)

- 2 In section 4A(3) (societies to which power to disapply section 4 does not apply) of the Friendly and Industrial and Provident Societies Act 1968—
- (a) in paragraph (b), for “, the Secretary of State or Scottish Homes” substitute “ or the Secretary of State ”,
 - (b) after that paragraph insert—
 - “(ba) is registered in the register of social landlords maintained under section 57 of the Housing (Scotland) Act 2001 (asp 10),”.

Commencement Information

- I2** Sch. 10 para. 2 wholly in force at 1.11.2001, see s. 113 and S.S.I. 2001/336, art. 2(3), Sch. Pt. II (subject to transitional provisions in art. 3) (as amended by S.S.I. 2001/397, art. 7(b))

Land Compensation (Scotland) Act 1973 (c.56)

- 3 In the Land Compensation (Scotland) Act 1973—
- (a) in section 27(1)(f) (right to home loss payment), for the words from “48(2)” to “3” substitute “ 16(2) of the Housing (Scotland) Act 2001 (asp 10) on the ground set out in paragraph 10 of schedule 2 ”,
 - (b) in section 29(7AA) (supplementary provisions about home loss payments)—
 - (i) for the words from “47” to “3” substitute “ 14 of the Housing (Scotland) Act 2001 (asp 10) on the tenant specifying the ground set out in paragraph 10 of schedule 2 ”,
 - (ii) for “15(2)” substitute “ 16(2) ”.

Commencement Information

- I3** Sch. 10 para. 3 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

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Land Tenure Reform (Scotland) Act 1974 (c.38)

- 4 In section 8(7) (savings) of the Land Tenure Reform (Scotland) Act 1974, for “secure tenancy within the meaning of the Housing (Scotland) Act 1987” substitute “ Scottish secure tenancy within the meaning of the Housing (Scotland) Act 2001 (asp 10) ”.

Commencement Information

- I4** Sch. 10 para. 4 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

PROSPECTIVE

House of Commons Disqualification Act 1975 (c.24)

- 5 In Part II of Schedule 1 (offices disqualifying for membership) to the House of Commons Disqualification Act 1975, the entry relating to Scottish Homes is repealed.

PROSPECTIVE

Local Government (Scotland) Act 1975 (c.30)

- 6 In section 23(1) (authorities subject to investigation by the Commissioner for Local Administration) of the Local Government (Scotland) Act 1975, paragraph (g) is repealed.

Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)

- 7 In section 13(11) (assessment of compensation on transfer of secure tenancy) of the Matrimonial Homes (Family Protection) (Scotland) Act 1981—
- (a) for “secure tenancy within the meaning of Part III of the Housing (Scotland) Act 1987” substitute “ Scottish secure tenancy within the meaning of the Housing (Scotland) Act 2001 (asp 10) ”,
 - (b) for “Part I of that Act” substitute “ Part III of the Housing (Scotland) Act 1987 (c.26) ”.

Commencement Information

- I5** Sch. 10 para. 7 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

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PROSPECTIVE

Finance Act 1981 (c.35)

- 8 In section 107(3) (sale of houses at discount by local authorities etc.) of the Finance Act 1981, paragraph (d) is repealed.

Rent (Scotland) Act 1984 (c.58)

- 9 (1) The Rent (Scotland) Act 1984 is amended as follows.
- (2) In section 5(5A) (tenancy under a shared ownership agreement not to be a protected tenancy), for “section 106(2) of the Housing Associations Act 1985” substitute “section 83(3) of the Housing (Scotland) Act 2001 (asp 10)”.
- (3) In section 23A (excluded tenancies and occupancy rights)—
- (a) after subsection (4) insert—
- “(4A) Nothing in section 23 or 24 of this Act applies to a tenancy or right of occupancy if it was granted, for a term of less than 6 months, to a person—
- (a) who is under supervision in pursuance of the functions of a local authority under paragraph (b)(i), (ii) or (vi) of subsection (1) of section 27 (supervision and care of persons on probation, released from prison etc.) of the Social Work (Scotland) Act 1968 (c.49), or
- (b) who has requested, in accordance with paragraph (c) of that subsection, the provision of advice, guidance or assistance by a local authority in pursuance of the authority’s functions under that paragraph.”
- (b) subsection (5)(e) is repealed.
- (4) In section 55 (tenancies to which sections 55 to 59 apply), for “section 106(2) of the Housing Associations Act 1985” substitute “section 83(3) of the Housing (Scotland) Act 2001 (asp 10)”.

Commencement Information

- 16** Sch. 10 para. 9 wholly in force at 30.9.2002; para. 9 not in force at Royal Assent see s. 113(1)(2); para. 9 in force for the purposes of para. 9(2)(4) at 1.11.2001 by S.S.I. 2001/336, art. 2(3), Sch. Pt. II (subject to transitional provisions in art. 3) (as amended by S.S.I. 2001/397, art. 7(b)); para. 9 in force for the purposes of para. 9(3) at 30.9.2002 by S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Bankruptcy (Scotland) Act 1985 (c.66)

- 10 In section 31(9) (tenancies excluded from the whole estate of the debtor) of the Bankruptcy (Scotland) Act 1985, for paragraph (c) substitute—
- “(c) a Scottish secure tenancy within the meaning of the Housing (Scotland) Act 2001 (asp 10).”

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Commencement Information

- 17** [Sch. 10 para. 10](#) wholly in force at 30.9.2002, see [s. 113\(1\)\(2\)](#) and [S.S.I. 2002/321](#), [art. 2](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-5](#))

Housing Associations Act 1985 (c.69)

- 11 (1) The Housing Associations Act 1985 is amended as follows.
- (2) In section 1(1) (definition of “housing association”), the words “but does not include Scottish Homes” are repealed.
- (3) In section 2B (definition of “registered housing association” etc.)—
- (a) in the definition of “registered housing association”, for the words “maintained by Scottish Homes under section 3” substitute “ of social landlords maintained under section 57 of the Housing (Scotland) Act 2001 (asp 10) ”,
 - (b) the definition of “registered social landlord” is repealed,
 - (c) in the definition of “unregistered”, for the words from “maintained by Scottish Homes” to the end substitute “ of social landlords maintained under section 57 of the Housing (Scotland) Act 2001 (asp 10) ”.
- (4) The following provisions are repealed—
- sections 3 to 33,
 - sections 36A to 40,
 - sections 59 to 61,
 - in section 106(2), the definition of “shared ownership agreement”,
 - section 106(3).

Commencement Information

- 18** [Sch. 10 para. 11](#) wholly in force at 1.11.2001, see [s. 113](#) and [S.S.I. 2001/336](#), [art. 2\(3\)](#), [Sch. Pt. II](#) (subject to transitional provisions in [art. 3](#)) (as amended by [S.S.I. 2001/397](#), [art. 7\(b\)](#))

Housing (Scotland) Act 1986 (c.65)

- 12 Section 13(2) (amendment of section 106(2) of the Housing Associations Act 1985) of the Housing (Scotland) Act 1986 is repealed.

Commencement Information

- 19** [Sch. 10 para. 12](#) wholly in force at 1.11.2001, see [s. 113](#) and [S.S.I. 2001/336](#), [art. 2\(3\)](#), [Sch. Pt. II](#) (subject to transitional provisions in [art. 3](#)) (as amended by [S.S.I. 2001/397](#), [art. 7\(b\)](#))

Housing (Scotland) Act 1987 (c.26)

- 13 (1) The Housing (Scotland) Act 1987 is amended as follows.
- (2) Sections 1, 12A and 17C are repealed.

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- (3) In section 21 (publication of rules relating to the housing list and to transfer of tenants)—
- (a) in subsection (1), paragraphs (a)(i) and (b) are repealed,
 - (b) in subsection (2), for the words from “housing” to the end of paragraph (a) substitute “social landlord—
 - (a) to make rules governing the matters mentioned in subsection (1)(a)(ii) to (iv);”,
 - (c) in subsection (3)—
 - (i) paragraph (i) is repealed,
 - (ii) for paragraph (ia) substitute—
 - “(ia) the Scottish Ministers;”,
 - (iii) in paragraph (ii), for “the association under a” substitute “ a registered social landlord under a Scottish ”.
- (4) Sections 22 and 22A are repealed.
- (5) Sections 44 to 60 are repealed.
- (6) In section 61 (secure tenant’s right to purchase)—
- (a) in subsection (2)—
 - (i) before “secure” insert “ Scottish ”,
 - (ii) after sub-paragraph (i) of paragraph (a) insert—
 - “(ia) a registered social landlord; or”,
 - (iii) sub-paragraphs (iii) to (ix) of that paragraph and, in each case, the preceding “or” are repealed,
 - (iv) in paragraph (b), the words from “or” to the end are repealed,
 - (b) for subsection (2A) substitute—
 - “(2A) For the purposes of subsection (2)(c), where the house was provided by a body which, at any time while the house was so provided, was not a registered social landlord, the body shall, if it became a registered social landlord at any later time, be deemed to have been a registered social landlord.”,
 - (c) in subsection (3)—
 - (i) after “a” in the second place where it occurs insert “ Scottish ”,
 - (ii) after “of” in the second place where it occurs insert “ Scottish ”,
 - (iii) for paragraph (b) substitute—
 - “(b) the words “beyond 5” in section 62(3)(b) and “after 5” in section 62(5)(b) shall not have effect.”,
 - (d) subsections (4A) and (7) to (9) are repealed,
 - (e) in subsection (11), after paragraph (a) insert—
 - “(aa) a registered social landlord;”.
- (7) In section 62 (the price)—
- (a) in subsection (2), for “section 58” substitute “ section 29 of the Housing (Scotland) Act 2001 (asp 10) ”,
 - (b) for paragraph (b) of subsection (4) substitute—
 - “(b) where the house was provided by a body which, at any time while the house was so provided, was not a registered

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social landlord, the body shall, if it became a registered social landlord at any later time, be deemed to have been a registered social landlord at all times since it first provided the house”.

- (8) In section 63 (application to purchase and offer to sell)—
 - (a) in subsection (1), paragraph (d) and the preceding “and” are repealed,
 - (b) subsections (2)(cc) and (3) are repealed.
- (9) In section 66(1) (notice of acceptance)—
 - (a) the words “, subject to section 67(1),”, and
 - (b) paragraphs (vi) and (vii),
 are repealed.
- (10) Section 67 is repealed.
- (11) In section 71 (reference to Lands Tribunal)—
 - (a) in subsection (1)—
 - (i) in paragraph (a), the words “or amended offer” in both places where they occur are repealed,
 - (ii) in paragraph (d), the words “or amended offer” in the first place where they occur and the words from “and, in the case” to the end are repealed,
 - (b) in subsection (2)—
 - (i) in paragraph (a)(ii), for “67” substitute “ 66C ”,
 - (ii) in paragraph (b), the words “or amended offer” and the words from “and, in the case” to “63(3)” are repealed.
- (12) In section 74 (duties of landlord), the words “and section 216” are repealed.
- (13) In section 75(1) (agreements affecting right to purchase), the words “, 67(1)” are repealed.
- (14) Sections 75A and 76 are repealed.
- (15) In section 79(2)(a) (proceedings for which financial and other assistance may be given), the words “and section 216” are repealed.
- (16) In section 81(1) (information from landlords), the words “and section 216” are repealed.
- (17) Sections 81A and 81B are repealed.
- (18) In section 82 (interpretation of Part III)—
 - (a) for “20, 214 and 216” substitute “ and 20 ”,
 - (b) the definitions of “rent to loan purchaser” and “rent to loan scheme” are repealed.
- (19) In section 84(1) (service of notices), the words “or of section 216” are repealed.
- (20) In section 84A(1) (application of right to buy to cases where landlord is lessee)—
 - (a) the words “and 216” are repealed,
 - (b) in paragraph (a), after “a”, in the second place where it occurs, insert “ Scottish ”.

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- (21) In section 212(5) (rent increase notice provisions not to apply to secure tenancies), after “a” insert “ Scottish ”.
- (22) Section 214(9) (advances for purpose of rent to loan scheme) is repealed.
- ^{F1}(23)
- ^{F1}(24)
- ^{F1}(25)
- ^{F1}(26)
- ^{F1}(27)
- ^{F1}(28)
- ^{F1}(29)
- ^{F1}(30)
- ^{F1}(31)
- ^{F1}(32)
- ^{F1}(33)
- ^{F1}(34)
- ^{F1}(35)
- (36) In section 276 (repurchase by authority other than local authority, in the Table—
 - (a) in entry 1 (registered housing associations etc.), in column 1, for the words from “housing” in the first place where it occurs to the end substitute “ social landlord or a predecessor of that landlord ”,
 - (b) entry 2 (Scottish Homes and the Scottish Special Housing Association) is repealed.
- (37) In subsection (1) of section 281 (effect of repurchase on certain tenancies)—
 - (a) for the words from “44” to “tenancy)” substitute “ 11(1)(b) (Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) ”,
 - (b) after “a” in the fifth place where it occurs insert “ Scottish ”.
- (38) In section 282 (grant of tenancy to former owner-occupier)—
 - (a) in subsection (2)—
 - (i) for the words from “44(2)” to “tenancies)” substitute “ 11(1)(b) (Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) ”,
 - (ii) after “a” insert “ Scottish ”,
 - (b) in subsection (3)(a), after “a” insert “ Scottish ”.
- (39) In section 283 (grant of tenancy to former statutory tenant)—
 - (a) in subsection (1)—

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- (i) for the words from “44(2)” to “tenancies” substitute “ 11(1)(b) (Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) ”,
 - (ii) for “secure tenancy” substitute “ Scottish secure tenancy ”,
 - (b) in subsection (3), after “a” in the third place where it occurs insert “ Scottish ”.
- (40) In section 286 (interpretation of sections 281 to 285)—
- (a) in paragraph (a), for “Part III (secure tenancies)” substitute “ the Housing (Scotland) Act 2001 (asp 10) ”,
 - (b) in paragraph (c), after “a” in the first and third places where it occurs insert “ Scottish ”.
- (41) In section 338(1) (interpretation)—
- (a) after the definition of “registered housing association” insert—
 - ““registered social landlord” has the same meaning as in the Housing (Scotland) Act 2001 (asp 10);”,
 - (b) after the definition of “road” insert—
 - ““Scottish secure tenancy” and “short Scottish secure tenancy” have the same meanings as in the Housing (Scotland) Act 2001 (asp 10);”,
 - ^{F2}(c)
- (42) Schedules 2 to 5, 6A and 18 are repealed.

Textual Amendments

- F1** Sch. 10 para. 13(23)-(35) repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3
- F2** Sch. 10 para. 13(41)(c) repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3

Commencement Information

- I10** Sch. 10 para. 13 partly in force; Sch, 10 para. 13 not in force at Royal Assent, see s. 113(1)(2); para. 13(24)(35) in force at 1.11.2001 by [S.S.I. 2001/336](#), art. 2(3), [Sch. Pt. I](#) (subject to transitional provisions in [art. 3](#)) (as amended by [S.S.I. 2001/397](#), [art. 7\(b\)](#)); para. 13(2)(17)(42) in force for specified purposes at 19.12.2001 by [S.S.I. 2001/467](#), art. 2(2), [Sch.](#) (subject to transitional provisions in [art. 3](#)); para. 13(3) in force at 1.4.2002 by [S.S.I. 2002/168](#), [art. 2](#), [Sch](#) (subject to transitional provisions and savings in [art. 3](#)); para. 13(5)-(22) and para. 13(36)-(41)(b) wholly in force and para. 13(42) in force for specified purposes at 30.9.2002 by [S.S.I. 2002/321](#), [art. 2](#), [Sch.](#) (subject to transitional provisions and savings in [arts. 3-5](#)); para. 13(4) in force at 30.9.2002 by [S.S.I. 2002/433](#), [art. 2](#), [Sch.](#)
- I11** Sch. 10 para. 13(23) (25)-(34) (41)(c) in force at 1.10.2003 by [S.S.I. 2003/434](#), art. 2, [sch.](#) (with [arts. 3, 4](#))
- I12** Sch. 10 para. 13(42) in force at 1.10.2003 in so far as not already in force by [S.S.I. 2003/434](#), art. 2, [sch.](#) (with [arts. 3, 4](#))

Housing (Scotland) Act 1988 (c.43)

- 14 (1) The Housing (Scotland) Act 1988 is amended as follows.

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- (2) In section 1 (Scottish Homes)—
- (a) subsections (1) and (2) are repealed,
 - (b) in subsection (3)—
 - (i) for “Scottish Homes”, in the first place where those words occur, substitute “ the Scottish Ministers ”,
 - (ii) paragraph (b) is repealed,
 - (iii) in paragraph (e), for “housing associations”, in each place where those words occur, substitute “ social landlords ”,
 - (iv) paragraph (g) is repealed.
- (3) In section 2 (general functions of Scottish Homes)—
- (a) subsection (1) is repealed,
 - (b) in subsection (2)—
 - (i) for the words from the beginning to “Scottish Homes” substitute “ For the purposes of the exercise of their general functions under section 1(3), the Scottish Ministers, so far as they do not otherwise have power to do so, ”,
 - (ii) in paragraph (h), for “it” substitute “ them ”,
 - (iii) in each of paragraphs (m) and (t), for “its” substitute “ their ”,
 - (iv) in each of paragraphs (s), (u) and (v), for “its general functions and powers” substitute “ their general functions under section 1(3) ”,
 - (v) in paragraph (t), for “it thinks” substitute “ they think ”,
 - (vi) in paragraph (u), for “it”, in the first place where it occurs, substitute “ them ”,
 - (vii) in paragraph (v), for “its”, in the first place where it occurs, substitute “ their ”,
 - (c) subsections (3) to (5), (7), (10) and (11) are repealed.
- (4) Sections 2A to 8, 10 and 11 are repealed.
- (5) In section 56 (right to acquire)—
- (a) in subsection (1), the words “or Scottish Homes” are repealed,
 - (b) in subsection (3), paragraph (e) is repealed,
 - (c) in subsection (4), for the words “secure tenant” substitute “ tenant under a Scottish secure tenancy within the meaning of the Housing (Scotland) Act 2001 (asp 10) ”.
- (6) In section 57 (persons by whom right may be exercised)—
- (a) in subsection (1)—
 - (i) for “Scottish Homes” in the first place where those words occur substitute “ the Scottish Ministers ”,
 - (ii) the words “or by Scottish Homes” and “(other than Scottish Homes)” are repealed,
 - (b) in subsection (3), for “Scottish Homes” substitute “ the Scottish Ministers ”.
- (7) In section 58 (application to exercise right and offer to sell)—
- (a) in subsection (1), the words “or, as the case may be, Scottish Homes” are repealed,

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- (b) in subsection (2), at the end insert “ and a person living with the tenant or joint tenant in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex ”,
 - (c) in subsection (3), for the words from “on Scottish Homes” to the end substitute “ the Scottish Ministers ”,
 - (d) in subsection (7)(c), the words “Scottish Homes or” are repealed,
 - (e) in subsection (8)(a), the words “Scottish Homes or” in both places where they occur are repealed.
- (8) In section 63 (consent for subsequent disposal)—
- (a) in subsection (1)—
 - (i) the words “other than Scottish Homes” are repealed,
 - (ii) for “Scottish Homes” in the second place where those words occur substitute “ the Scottish Ministers ”,
 - (b) in subsection (2A)—
 - (i) for “Scottish Homes” substitute “ the Scottish Ministers ”,
 - (ii) for “itself” substitute “ themselves ”,
 - (c) in subsection (3), for the words from “Scottish Homes” to “dispositions” substitute “ the Scottish Ministers under section 66 of the Housing (Scotland) Act 2001 (asp 10) (consent for disposal by registered social landlord) ”.
- (9) In section 65 (cost floor limit on discount on price of house purchased by secure tenant), subsection (5) is repealed.
- (10) Schedule 1 is repealed.
- (11) In Schedule 2 (consequential amendments), paragraphs 2, 3(a), 4, 6 and 14 are repealed.
- (12) In Schedule 4 (tenancies which cannot be assured tenancies)—
- (a) in paragraph 11—
 - (i) sub-paragraphs (b) to (d) are repealed,
 - (ii) after sub-paragraph (e) insert—
 - “(ea) a registered social landlord within the meaning of the Housing (Scotland) Act 2001 (asp 10);”,
 - (iii) sub-paragraph (f) is repealed,
 - (b) after paragraph 11 insert—

“Accommodation for offenders

- 11A A tenancy granted, for a term of less than 6 months, to a person—
- (a) who is under supervision in pursuance of the functions of a local authority under paragraph (b)(i), (ii) or (vi) of subsection (1) of section 27 (supervision and care of persons on probation, released from prison etc.) of the Social Work (Scotland) Act 1968 (c.49), or
 - (b) who has requested, in accordance with paragraph (c) of that subsection, the provision of advice, guidance or assistance by a local authority in pursuance of the authority’s functions under that paragraph.”,

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- (c) in paragraph 12, for “the Housing Associations Act 1985” substitute “section 83(3) of the Housing (Scotland) Act 2001 (asp 10)”.
- (13) In Part III (suitable alternative accommodation) of Schedule 5 (grounds for possession of houses let on assured tenancies)—
 - (a) in paragraph 1—
 - (i) the words “or, in any case, of Scottish Homes” are repealed,
 - (ii) for “, the Corporation or, as the case may be, Scottish Homes,” substitute “ or the Corporation, ”,
 - (b) in paragraph 3—
 - (i) in sub-paragraph (1)(a), the words “or by Scottish Homes” are repealed,
 - (ii) in sub-paragraph (2), the words “or of Scottish Homes” are repealed,
 - (c) in paragraph 5, the words “or of Scottish Homes” are repealed,
 - (d) in paragraph 6, for “, development corporations and Scottish Homes” substitute “ and development corporations ”.
- (14) In Schedule 7 (amendments of Housing (Scotland) Act 1987 connected with consolidation), paragraphs 1 and 2 are repealed.
- (15) In Schedule 9 (consequential amendments), paragraphs 6, 8 to 10 and 21 are repealed.

Commencement Information

I13 Sch. 10 para. 14 partly in force; Sch. 10 para. 14 not in force at Royal Assent see s. 113; para. 14(5)(a)(6)-(8)(12)(c) wholly in force and para. 14(11)(15) in force for specified purposes at 1.11.2001 by S.S.I. 2001/336, art. 2(3), Sch. Pt. II (subject to transitional provisions in art. 3) (as amended by S.S.I. 2001/397, art. 7(a)(b)); para. 14(2)-(4)(10) in force at 1.11.2001 by S.S.I. 2001/397, art. 2(2), Sch. (subject to transitional provisions in arts. 3-6); para. 14 (5)(c)(9)(12)(14)(15) in force at 30.9.2002 by S.S.I. 2002/321, {art. 2,} Sch. (subject to transitional provisions and savings in arts.3-5) (as amended by S.S.I. 2002/433, art. 3(2))

Housing Act 1988 (c.50)

- 15 (1) The Housing Act 1988 is amended as follows.
- (2) Sections 48 and 49 are repealed.
 - (3) In section 52 (recovery etc. of grants)—
 - (a) in subsection (1), for “housing association” substitute “ social landlord ”,
 - (b) in subsection (2)(c), for “association” in both places where it occurs substitute “ landlord ”,
 - (c) in subsection (3)—
 - (i) for “an association” substitute “ a registered social landlord ”,
 - (ii) for “association” in the second place where it occurs insert “ landlord ”,
 - (d) in subsection (4), for “an association” substitute “ a registered social landlord ”,
 - (e) in subsection (5)—
 - (i) for “an association” substitute “ a registered social landlord ”,

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Changes to legislation: Housing (Scotland) Act 2001, SCHEDULE 10 is up to date with all changes known to be in force on or before 24 December 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)

- (ii) for “housing association” substitute “ social landlord ”,
- (iii) for “association” in the third and fourth places where it occurs substitute “ landlord ”,
- (f) after subsection (9) insert—
 - “(10) In this section and section 53, “registered social landlord” has the same meaning as in the Housing (Scotland) Act 2001 (asp 10).”
- (4) In section 53 (determinations)—
 - (a) in subsection (1)(b), for “housing associations” substitute “ registered social landlords ”,
 - (b) in subsection (3)—
 - (i) for “housing associations” substitute “ registered social landlords ”,
 - (ii) for “associations” in the second place where it occurs substitute “ landlords ”.
- (5) Sections 54 and 55 are repealed.
- (6) In section 59 (interpretation of Part II and amendments of the Housing Associations Act 1985)—
 - (a) in subsection (1)(b), for “Scottish Homes” substitute “ the Scottish Ministers ”,
 - (b) subsection (2)(b) is repealed.
- (7) Sections 128, 134 and 135 are repealed.
- (8) In Schedule 6 (amendments of Housing Associations Act 1985), paragraphs 3 to 22, 25 and 26 are repealed.
- (9) Schedule 16 is repealed.

Commencement Information

I14 Sch. 10 para. 15 partly in force; para. 15 not in force at Royal Assent see s. 113(1)(2); para. 15(2)(8) in force at 1.11.2001 by S.S.I. 2001/336, art. 2(3), Sch. Pt. II (subject to transitional provisions in art. 3) (as amended by S.S.I. 2001/397, art. 7(b)); para. 15(3)(4)(6) in force at 1.11.2001 by S.S.I. 2001/397, art. 2(2), Sch. (subject to transitional provisions in arts. 3-6); para. 15(7)(9) wholly in force and para.15(5) in force for specified purposes at 30.9.2002 by S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Local Government and Housing Act 1989 (c.42)

- 16 In the Local Government and Housing Act 1989, sections 177, 178(1), 179 and 181 are repealed.

Commencement Information

I15 Sch. 10 para. 16 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

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Social Security Administration Act 1992 (c.5)

- 17 In section 191 (interpretation) of the Social Security Administration Act 1992, in the definition of “housing authority”, for “, a new town corporation or Scottish Homes” substitute “ or a new town corporation ”.

Commencement Information

- I16** Sch. 10 para. 17 wholly in force at 1.4.2002, see s. 113(1)(2) and S.S.I. 2002/168, art. 2, Sch. (subject to transitional provisions and savings in art. 3)

PROSPECTIVE

Taxation of Chargeable Gains Act 1992 (c.12)

- 18 (1) Section 218(4) (disposals of land between Scottish Homes and housing associations) of the Taxation of Chargeable Gains Act 1992 is repealed.
- (2) In section 219(2) (disposals by Scottish Homes) of that Act, for “the Secretary of State or Scottish Homes” substitute “ or the Secretary of State ”.

Local Government Finance Act 1992 (c.14)

- 19 (1) In section 75 (persons liable to pay council tax) of the Local Government Finance Act 1992—
- (a) in subsection (2)(c), after “resident” in the third place where it occurs insert “ Scottish ”,
- (b) in subsection (5), for the definition of “secure tenant” substitute—
- ““Scottish secure tenant” means a tenant under a Scottish secure tenancy within the meaning of the Housing (Scotland) Act 2001 (asp 10);”.
- (2) In section 99(1) (interpretation of Part II) of that Act, in the definition of “housing body”, paragraph (c) and the preceding “or” are repealed.

Commencement Information

- I17** Sch. 10 para. 19 partly in force; Sch. 10 para. 19 not in force at Royal Assent, see s. 113(1)(2); Sch. 10 para. 19(1) in force at 30.9.2002 by S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Leasehold Reform, Housing and Urban Development Act 1993 (c.28)

- 20 The following provisions of the Leasehold Reform, Housing and Urban Development Act 1993 are repealed—

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Changes to legislation: *Housing (Scotland) Act 2001, SCHEDULE 10* is up to date with all changes known to be in force on or before 24 December 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)

Commencement Information

I18 Sch. 10 para. 20 wholly in force; Sch. 10 para. 20 not in force at Royal Assent, see s. 113(1)(2); para. 20 in force for specified purposes at 1.4.2002 by S.S.I. 2002/168, art. 2, Sch. (subject to transitional provisions and savings in art. 3); para. 20 in force insofar as not already in force at 30.9.2002 by S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Local Government etc. (Scotland) Act 1994 (c.39)

21 In Schedule 13 (minor and consequential amendments) to the Local Government etc. (Scotland) Act 1994, paragraph 152(8) is repealed.

Commencement Information

I19 Sch. 10 para. 21 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Requirements of Writing (Scotland) Act 1995 (c.7)

22 In Schedule 4 (minor and consequential amendments) to the Requirements of Writing (Scotland) Act 1995, paragraphs 59 and 60 are repealed.

Commencement Information

I20 Sch. 10 para. 22 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Children (Scotland) Act 1995 (c.36)

23 In Schedule 4 (minor and consequential amendments) to the Children (Scotland) Act 1995, paragraph 42 is repealed.

Commencement Information

I21 Sch. 10 para. 23 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Housing Act 1996 (c.52)

24 Paragraph 9 of Schedule 3 (social rented sector: minor amendments) to the Housing Act 1996 is repealed.

Commencement Information

I22 Sch. 10 para. 24 wholly in force at 1.11.2001, see s. 113 and S.S.I. 2001/397, art. 2(2), Sch. (subject to transitional provisions in arts. 3-6)

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Planning (Consequential Provisions) (Scotland) Act 1997 (c.11)

- 25 In Schedule 2 (consequential amendments) to the Planning (Consequential Provisions) (Scotland) Act 1997, paragraph 40(3) is repealed.

Commencement Information

- I23** Sch. 10 para. 25 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

PROSPECTIVE

Data Protection Act 1998 (c.29)

- 26 In Schedule 12 (accessible public records) of the Data Protection Act 1998—
- (a) in the Table in paragraph 4, the entry “Scottish Homes” is repealed,
 - (b) in paragraph 5(3), the words “or Scottish Homes” and “or, as the case may be, Scottish Homes” are repealed.

Crime and Disorder Act 1998 (c.37)

- 27 In section 23 (anti-social behaviour as ground of eviction) of the Crime and Disorder Act 1998, subsections (1) to (3) are repealed.

Commencement Information

- I24** Sch. 10 para. 27 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Public Finance and Accountability (Scotland) Act 2000 (asp 1)

- 28 (1) Paragraph 3 of schedule 1 (capital expenditure of, and borrowing by, certain statutory bodies) to the Public Finance and Accountability (Scotland) Act 2000 is repealed.
- (2) Paragraph 7 of schedule 4 (modification of enactments) to that Act is repealed.

Commencement Information

- I25** Sch. 10 para. 28 wholly in force at 1.11.2001, see s. 113 and S.S.I. 2001/397, art. 2(2), Sch. (subject to transitional provisions in arts. 3-6)

PROSPECTIVE

Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)

- 29 In schedule 3 (devolved public bodies) to the Ethical Standards in Public Life etc. (Scotland) Act 2000, the entry relating to Scottish Homes is repealed.

Status:

Point in time view as at 01/04/2010. This version of this schedule contains provisions that are prospective.

Changes to legislation:

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