



# Housing (Scotland) Act 2001

## 2001 asp 10

### PART 3

#### REGULATION OF SOCIAL LANDLORDS

#### CHAPTER 2

#### LOCAL AUTHORITY HOUSING MANAGEMENT

#### 75 Remedial plans: appointment of manager

- (1) The Scottish Ministers may carry out an inspection of the implementation of a remedial plan by a local authority.
- (2) Subsections (2) to (6) of section 72 apply in relation to such an inspection as they apply in relation to an inspection under subsection (1) of that section.
- (3) Where, as a result of an inspection under subsection (1) of this section, the Scottish Ministers consider that the remedial plan is not being implemented satisfactorily, they may appoint a manager to exercise such functions of the authority in relation to the provision of housing accommodation and related services as the Scottish Ministers may specify.
- (4) Before appointing a manager under subsection (3) the Scottish Ministers must consult—
  - (a) the authority,
  - (b) such bodies representing local authorities as they think fit, and
  - (c) the Accounts Commission for Scotland,and must have regard to any comments received from them within such period as the Scottish Ministers may specify.
- (5) A manager appointed under subsection (3)—
  - (a) is to be appointed for such period and on such terms and conditions as the Scottish Ministers may determine,
  - (b) has, by virtue of the appointment, power generally to do all such things as are necessary for carrying out the manager's functions, and

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*Status: This is the original version (as it was originally enacted).*

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- (c) has such specific powers (which may include power to do anything which the authority has power to do) as the Scottish Ministers may specify.
- (6) The remuneration and expenses of the manager are to be paid by the authority.
- (7) The Scottish Ministers may give directions in relation to the carrying out of the manager's functions; and the manager must comply with any such direction.
- (8) In carrying out functions the manager acts as the agent of the authority; and the manager is not personally liable on a contract entered into as manager.
- (9) A person dealing with the manager in good faith and for value is not concerned to inquire whether the manager is acting within the powers conferred by virtue of this section.