

HOMELESSNESS ETC. (SCOTLAND) ACT 2003

EXPLANATORY NOTES

HOMELESSNESS: PRIORITY NEED FOR ACCOMMODATION

Section 1: Amendment of section 25 of the 1987 Act

4. This section amends section 25 of the 1987 Act to widen the definition of persons having a priority need for accommodation. The amended version of section 25(1)(c) substituted by *subsection (2)(a)* includes within the definition those vulnerable as a result of: old age; mental illness; personality disorder; learning or physical disability; chronic ill health; having suffered a miscarriage or undergone an abortion; having been discharged from a hospital, a prison, or the armed forces; or other special reason. *Subsection (2)(b)* adds further paragraphs to section 25(1) to cover 16 and 17 year olds; certain young people between the ages of 18 and 20; a person who runs the risk of violence or is likely to be the victim of harassment because of their religion, sexual orientation, race, colour, or ethnic or national origins; and a person who runs the risk of domestic abuse. It also ensures in most circumstances that those residing with someone who is defined as having a priority need for accommodation are themselves within the definition. *Subsection (3)* sets out the circumstances in which a person aged 18 to 20 is defined as having a priority need. *Subsection (4)* amends section 25(2)(b) of the 1987 Act to ensure that the Scottish Ministers can amend or repeal the additional subsections of section 25 inserted by subsection (4) in the same manner as existing subsections. *Subsection (5)* revokes the [Homeless Persons \(Priority Need\) \(Scotland\) Order 1997 \(S.I. 1997/3049\)](#) as its terms are now incorporated into the 1987 Act by the amendments made by subsections (2)(b) and (3).