



# Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

## PART 8

### HOUSING: REGISTRATION OF CERTAIN LANDLORDS

#### *Registration*

#### **[<sup>F1</sup>88A Access to register**

- (1) Each local authority shall, on the application of any person (“the applicant”), in relation to—
- (a) a particular house, provide the applicant with—
    - [ confirmation of whether any application relating to the house has been <sup>F2</sup>(zi) made in accordance with section 83 but has not yet been determined;]
    - (i) the name of [<sup>F3</sup>any owner of the house] included in its register by virtue of section 83(1)(a) or 87(2);
    - (ii) the name of any person who acts for the owner in relation to a lease or occupancy arrangement to which the house is subject included in its register by virtue of section 83(1)(c), 87(2) or 88(2);
    - (iii) the address to which correspondence with the relevant person should be directed included in its register by virtue of section 83(1)(ca) or 87(2); and
    - (iv) any information included in its register by virtue of section 87A(2).
  - (b) a particular person, confirm to the applicant [<sup>F4</sup>—
    - (i) whether that other person is registered in its register<sup>F5</sup>; and
    - (ii) whether its register includes a note under section 92ZA of a decision to refuse that other person's entry in, or to remove that other person from, the register.].
- (2) A local authority may, on the application of any person, provide that person with such other information from its register as it thinks appropriate.

**Changes to legislation:** *Antisocial Behaviour etc. (Scotland) Act 2004, Section 88A is up to date with all changes known to be in force on or before 13 April 2024. 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) View outstanding changes*

- (3) Information provided under subsection (2) may be provided subject to such conditions as the local authority thinks appropriate.
- (4) Despite subsection (1), a local authority may withhold information where it considers that providing the information would be likely to jeopardise—
- (a) the safety or welfare of any person; or
  - (b) the security of any premises.]

#### Textual Amendments

- F1** S. 88A inserted (29.1.2006) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), **ss. 176(7)**, 195 (with s. 193); [S.S.I. 2006/14](#), **art. 2**
- F2** S. 88A(1)(a)(zi) inserted (1.4.2013) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 5(1)(a)**, 41(3); [S.S.I. 2013/82](#), **art. 2(1)**, sch.
- F3** Words in s. 88A(1)(a)(i) substituted (1.4.2013) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 5(1)(b)**, 41(3); [S.S.I. 2013/82](#), **art. 2(1)**, sch.
- F4** Word in s. 88A(1)(b) inserted (1.4.2013) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 5(1)(c)(i)**, 41(3); [S.S.I. 2013/82](#), **art. 2(1)**, sch.
- F5** S. 88A(1)(b)(ii) and word inserted (1.4.2013) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 5(1)(c)(ii)**, 41(3); [S.S.I. 2013/82](#), **art. 2(1)**, sch.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 85B inserted by [2014 asp 14 s. 21\(1\)](#)