



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 3

#### PROVISION OF INFORMATION ON SALE OF HOUSE

##### *Duty to provide information to tenant exercising right to purchase*

#### **113 Information for tenants exercising right to purchase**

- (1) The 1987 Act is amended as follows.
- (2) In subsection (2) of section 63 (application to purchase and offer to sell)—
  - (a) the word “and” immediately preceding paragraph (e) is repealed, and
  - (b) after that paragraph, insert—

“; and

(f) information prescribed under section 63A.”.
- (3) After section 63 insert—

#### **“63A Information to be prescribed**

- (1) The Scottish Ministers may by regulations made by statutory instrument—
  - (a) prescribe information for the purpose of paragraph (f) of section 63(2); and
  - (b) make such further provision about that information as they think fit.
- (2) Information prescribed under subsection (1) may include information which—
  - (a) provides a reasonable estimate of any costs of maintaining the house and any common parts;
  - (b) states how long—
    - (i) any common parts;
    - (ii) any fixtures and fittings; or

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**Changes to legislation:** There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross  
Heading: Duty to provide information to tenant exercising right to purchase. (See end of Document for details)

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- (iii) any items in, forming part of or relating to the house as may be prescribed by the regulations,  
are expected to last, including a reasonable estimate of the cost of replacing each of the things to which the information relates; and
- (c) relates to any other matters which may be of interest to a tenant who has served an application to purchase.
- (3) Regulations made under subsection (1) may, in particular, specify circumstances in which an offer to sell need not contain prescribed information unless the tenant pays, or undertakes to pay, to the landlord such sum as may be specified in the regulations.
- (4) In this section “common parts” means any—
- (a) part of the house;
  - (b) part of any building of which the house forms part; or
  - (c) other property,
- which the tenant, as owner of the house, would own in common with others or would have an obligation in common with others to maintain.
- (5) Regulations may not be made under subsection (1) unless a draft of the statutory instrument containing the regulations has been laid before and approved by resolution of the Scottish Parliament.”.

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**Commencement Information**

**II** S. 113 in force at 1.12.2008 by [S.S.I. 2008/308](#), [art. 3](#) (with [art. 4](#))

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