

Housing (Scotland) Act 2010

2010 asp 17

PART 5

REGULATORY INTERVENTION

Introductory

52 Regulatory intervention

Regulatory intervention may consist of any combination of the Regulator—

- (a) requiring submission of a performance improvement plan (see section 55),
- (b) serving an enforcement notice (see section 56),
- (c) appointing, or requiring the appointment of, a manager (see sections 57 and 58),
- (d) removing, suspending or appointing a registered social landlord's officers or agents (see sections 60 to 65),
- (e) acting to protect a registered social landlord's assets (see sections 66 and 67).

Commencement Information

II S. 52 in force at 1.4.2012 by [S.S.I. 2012/39](#), [art. 2](#), [Sch. 1](#) (with [Sch. 2](#))

53 Exercise of regulatory intervention powers

- (1) This section applies where the Regulator is deciding—
 - (a) whether to make a regulatory intervention,
 - (b) which regulatory intervention to make, or
 - (c) how to make a regulatory intervention.
- (2) The Regulator must consider—
 - (a) the desirability of social landlords being free to choose how to provide housing services and manage their financial and other affairs,
 - (b) the speed with which the failure or other problem needs to be dealt with, and
 - (c) its code of practice issued under section 54.

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Cross Heading: Introductory. (See end of Document for details)

Commencement Information

I2 S. 53 in force at 1.4.2012 by [S.S.I. 2012/39](#), [art. 2](#), [Sch. 1](#) (with [Sch. 2](#))

54 Code of practice: regulatory intervention

- (1) The Regulator must issue a code of practice on regulatory interventions setting out how it intends to make decisions referred to in section 53(1).
- (2) The code of practice may, in particular, set out examples of situations in which it may make a regulatory intervention.
- (3) The code of practice must be kept under review and must be re-issued (with any revisions which the Regulator thinks appropriate) at least once every 5 years.
- (4) Before issuing a code of practice, the Regulator must consult—
 - (a) Ministers,
 - (b) tenants of social landlords or their representatives,
 - (c) homeless persons or bodies representing the interests of homeless persons,
 - (d) recipients of housing services provided by social landlords or their representatives,
 - (e) social landlords or their representatives,
 - (f) secured creditors of registered social landlords or their representatives, and
 - (g) the Accounts Commission for Scotland.
- (5) The Regulator must make arrangements for bringing the issued code of practice to the attention of social landlords.

Commencement Information

I3 S. 54 in force at 1.4.2011 for specified purposes by [S.S.I. 2011/96](#), [art. 2](#), [Sch.](#)

I4 S. 54 in force at 1.4.2012 in so far as not already in force by [S.S.I. 2012/39](#), [art. 2](#), [Sch. 1](#) (with [Sch. 2](#))

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Cross
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