

*Status: Point in time view as at 01/04/2011. This version of this schedule contains provisions that are not valid for this point in time.*  
**Changes to legislation:** There are currently no known outstanding effects for the Housing (Scotland) Act 2010, SCHEDULE 2. (See end of Document for details)

## SCHEDULE 2

(introduced by section 162)

### MODIFICATIONS OF ENACTMENTS

VALID FROM 01/04/2012

#### *Co-operative and Community Benefit Societies and Credit Unions Act 1968 (c.55)*

- 1 In section 4A(3)(ba) (societies which cannot disapply section 4) of the Co-operative and Community Benefit Societies and Credit Unions Act 1968, for “section 57 of the Housing (Scotland) Act 2001 (asp 10)” substitute “section 20(1) of the Housing (Scotland) Act 2010 (asp 17)”.

#### *Land Tenure Reform (Scotland) Act 1974 (c.38)*

- 2 In section 21 (provisions for contracting out to be void) of the Land Tenure Reform (Scotland) Act 1974, for “sections 8(6) and 11(3)” substitute “sections 8(3A), 8(6), 11(3) and 11(3A)”.

#### **Commencement Information**

- II** Sch. 2 para. 2 in force at 1.3.2011 by S.S.I. 2011/96, art. 2, Sch.

VALID FROM 01/04/2012

#### *Housing (Scotland) Act 1987 (c.26)*

- 3 (1) The Housing (Scotland) Act 1987 is amended as follows.
- (2) Sections 17A and 17B are repealed.
- (3) In section 14(2)(a) (houses which may be sold by local authorities without consent) for “Part III of the Housing (Scotland) Act 1988” substitute “Part 11 of the Housing (Scotland) Act 2010 (asp 17)”.
- (4) In section 61(4)(e), for “is registered as such” substitute “was first registered as such (and remains so registered)”.
- (5) In the definition of “registered social landlord” in section 338(1), for “Housing (Scotland) Act 2001 (asp 10)” substitute “Housing (Scotland) Act 2010 (asp 17)”.

VALID FROM 01/04/2012

#### *Housing (Scotland) Act 1988 (c.43)*

- 4 (1) The Housing (Scotland) Act 1988 is amended as follows.
- (2) In section 1(3)(e), the words from “maintaining” to the third occurrence of “landlords” are repealed.

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- (3) Sections 56 to 64 are repealed.
- (4) For paragraph 11(ea) (local authority and other tenancies) of Schedule 4 substitute—
- “(ea) a registered social landlord within the meaning of the Housing (Scotland) Act 2010 (asp 17).”.

VALID FROM 01/04/2012

- Housing Act 1988 (c.50)*
- 5 In section 52(10) (recovery etc. of grants) of the Housing Act 1988, for “Housing (Scotland) Act 2001 (asp 10).” substitute “ Housing (Scotland) Act 2010 (asp 17). ”.

*Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)*

- 6 In the Ethical Standards in Public Life etc. (Scotland) Act 2000, in schedule 3 (devolved public bodies) after the entry relating to the Scottish Further and Higher Education Funding Council”, insert— “ The Scottish Housing Regulator ”.

**Commencement Information**

**I2** Sch. 2 para. 6 in force at 1.4.2011 by S.S.I. 2011/96, art. 2, Sch.

VALID FROM 01/04/2012

- Housing (Scotland) Act 2001 (asp 10)*
- 7 (1) The Housing (Scotland) Act 2001 is amended as follows.
- (2) Sections 57 to 68 (and schedules 7 and 8) are repealed.
- (3) Sections 69 to 75 are repealed.
- (4) In section 76—
- (a) in subsection (1), the words “or a registered social landlord” are repealed,
- (b) in subsection (2), the words “or, as the case may be, section 66 of this Act” are repealed.
- (5) Sections 79 to 82 are repealed.
- (6) In section 111, for the definition of “registered social landlord”, substitute—
- ““registered social landlord” means a body registered in the register maintained under section 20(1) of the Housing (Scotland) Act 2010 (asp 17).”.
- (7) In schedule 9—

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- (a) in paragraph 1(1), sub-sub-paragraph (b) (and the word “or” immediately preceding it) are repealed,
- (b) in paragraph 2(1), the words “or section 66 of this Act” are repealed.

*Scottish Public Services Ombudsman Act 2002 (asp 11)*

- 8 In the Scottish Public Services Ombudsman Act 2002, in schedule 2 (listed authorities) for the words “Scottish Homes” in paragraph 44 substitute “ The Scottish Housing Regulator ”.

**Commencement Information**

**I3** Sch. 2 para. 8 in force at 1.4.2011 by S.S.I. 2011/96, art. 2, Sch.

*Freedom of Information (Scotland) Act 2002 (asp 13)*

- 9 In the Freedom of Information (Scotland) Act 2002, in schedule 1 (Scottish public authorities) after paragraph 85A insert—  
“85B The Scottish Housing Regulator.”.

**Commencement Information**

**I4** Sch. 2 para. 9 in force at 1.4.2011 by S.S.I. 2011/96, art. 2, Sch.

*Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)*

- 10 In the Public Appointments and Public Bodies etc. (Scotland) Act 2003, in schedule 2 (specified authorities) after the entry relating to the Scottish Further and Higher Education Funding Council insert— “ Scottish Housing Regulator ”.

**Commencement Information**

**I5** Sch. 2 para. 10 in force at 1.4.2011 by S.S.I. 2011/96, art. 2, Sch.

VALID FROM 01/04/2012

*Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)*

- 11 In the definition of “registered social landlord” in section 143(2) of the Antisocial Behaviour etc. (Scotland) Act 2004, for “section 57 of the Housing (Scotland) Act 2001 (asp 10)” substitute “ section 20(1) of the Housing (Scotland) Act 2010 (asp 17) ”.

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*Further and Higher Education (Scotland) Act 2005 (asp 6)*

- 12 In section 22(5) of the Further and Higher Education (Scotland) Act 2005, for paragraph (i) substitute—  
“(i) the Scottish Housing Regulator.”

VALID FROM 01/04/2012

*Charities and Trustee Investment (Scotland) Act 2005 (asp 10)*

- 13 (1) The Charities and Trustee Investment (Scotland) Act 2005 is amended as follows.  
(2) In Section 19, after subsection (4) insert—  
“(4A) OSCR must consult the Scottish Housing Regulator before making an application under subsection (4) in relation to a registered social landlord (within the meaning of the Housing (Scotland) Act 2010 (asp 17)).”  
(3) In section 38—  
(a) subsection (1) is repealed,  
(b) in subsection (2), for “functions referred to in subsection (1)” substitute “OSCR's functions under sections 28 to 35 (other than section 30) and section 70A”,  
(c) subsection (7) is repealed,  
(d) the words “(1) or”, where occurring in subsections (8), (9) and (10), are repealed,  
(e) subsection (12) is repealed.

VALID FROM 01/04/2012

*Housing (Scotland) Act 2006 (asp 1)*

- 14 In section 22(4)(b) (application to private rented housing panel) of the Housing (Scotland) Act 2006, for “section 57 of that Act” substitute “section 20(1) of the Housing (Scotland) Act 2010 (asp 17)”.

VALID FROM 01/04/2012

*Public Services Reform (Scotland) Act 2010 (asp 8)*

- 15 (1) The Public Services Reform (Scotland) Act 2010 is amended as follows.  
(2) In section 115(6), after the entry relating to the Mental Welfare Commission for Scotland insert— “Scottish Housing Regulator, ”.

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- (3) In schedule 19 (persons subject to user focus duty), after the entry relating to the Office of the Scottish Charity Regulator insert— “ Scottish housing regulator ”.
- (4) In schedule 20 (persons subject to duty of co-operation), after the entry relating to the Mental Welfare Commission for Scotland insert— “ Scottish Housing Regulator ”.

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