



Housing (Scotland) Act 2010

2010 asp 17

PART 5

REGULATORY INTERVENTION

Registered social landlords: removal, suspension and appointment of officers etc.

61 Suspension of officers etc. during or following inquiries

- (1) The Regulator, when making or having made inquiries, may suspend a responsible individual (pending decision on removal or otherwise) where it considers—
 - (a) that there has been misconduct or mismanagement in a registered social landlord's financial or other affairs,
 - (b) that the interests of a registered social landlord's tenants need protection,
 - (c) that a registered social landlord's assets need protection, or
 - (d) that the responsible individual—
 - (i) is, during a moratorium under section 75, obstructing the Regulator from performing its functions under Part 7, or
 - (ii) is not co-operating in accordance with section 84(2).
- (2) The Regulator, unless it considers the case to be one of urgency, must give at least 14 days' notice of its intention to suspend a responsible individual to—
 - (a) the responsible individual, and
 - (b) the registered social landlord.
- (3) A suspension ceases to have effect—
 - (a) if the Regulator removes the individual or lifts the suspension, or
 - (b) where the Regulator does not so act, on the day falling 6 months after the inquiries concerned are concluded.
- (4) The Regulator may give the registered social landlord directions about—
 - (a) the performance of a suspended individual's functions,
 - (b) any other matter arising from the suspension,and may appoint an individual, on such terms as it thinks fit, to perform the suspended individual's functions.

Status: This is the original version (as it was originally enacted).

- (5) It is an offence for a suspended individual to take any action in relation to the management or control of—
- (a) the registered social landlord concerned, or
 - (b) any other registered social landlord,
- without the Regulator’s consent.
- (6) An individual guilty of such an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.