



Housing (Scotland) Act 2014

2014 asp 14

PART 4

LETTING AGENTS

Consequences of refusal or removal

42 Note on register where refusal or removal

- (1) Where the Scottish Ministers refuse to enter a person in the register or to renew a person's existing entry in the register under section 32, they must, after the date of final refusal, note that fact in the register.
- (2) Where the Scottish Ministers remove a person from the register under section 39 they must, after the date of final refusal, note that fact in the register.
- (3) For the purposes of this section the date of final refusal is the later of the date on which—
 - (a) the period mentioned in section 41(2) expires without an appeal being made,
 - (b) where such an appeal has been made, the appeal is finally determined or abandoned.
- (4) Where a fact is noted by virtue of subsection (1) or (2) it must—
 - (a) remain on the register for the period of 12 months beginning with the date on which the Scottish Ministers are required to note it in the register, and
 - (b) be removed from the register at the end of that period.
- (5) But where a person in respect of whom the Scottish Ministers note a fact by virtue of subsection (1) or (2) is subsequently entered in the register before the end of the period mentioned in subsection (4)(a), the Scottish Ministers must remove the fact from the register.

Commencement Information

II S. 42 in force at 31.1.2018 by [S.S.I. 2016/412](#), art. 2, [sch.](#)

Changes to legislation:

Housing (Scotland) Act 2014, Section 42 is up to date with all changes known to be in force on or before 27 May 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2016/412, art. 3(1)
(a) by [S.S.I. 2017/330 art. 2](#)
- specified provision(s) amendment to earlier commencing SSI 2015/272 Sch. by
[S.S.I. 2015/349 art. 2\(2\)](#)