
Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Cross Heading: Housing (Scotland) Act 1987. (See end of Document for details)

SCHEDULE 4 CONSEQUENTIAL MODIFICATIONS

Housing (Scotland) Act 1987

- 4 (1) The Housing (Scotland) Act 1987 is amended as follows.
- (2) In section 20B(6), after paragraph (c) there is inserted—
- “(ca) an eviction order within the meaning of the Private Housing (Tenancies) (Scotland) Act 2016 has been issued against the person,”.
- (3) In section 24(5), after paragraph (d) there is inserted—
- “(e) secured by a private residential tenancy.”.
- (4) In section 31(5)—
- (a) paragraph (b) is repealed,
- (b) after paragraph (c) there is inserted—
- “(d) secured by a private residential tenancy.”.
- (5) In section 43, after the definition of “private accommodation offer” there is inserted—
- ““private residential tenancy” has the meaning given by the Private Housing (Tenancies) (Scotland) Act 2016;”.
- (6) In section 128—
- (a) for the words “the Rent (Scotland) Act 1984 or in Part II of the Housing (Scotland) Act 1988” there is substituted “ an enactment mentioned in subsection (2) ”,
- (b) the existing text becomes subsection (1),
- (c) after that subsection, there is inserted—
- “(2) The enactments referred to in subsection (1) are—
- (a) the Rent (Scotland) Act 1984;
- (b) Part II of the Housing (Scotland) Act 1988;
- (c) the Private Housing (Tenancies) (Scotland) Act 2016.”,
- (d) the title of the section becomes “ **Recovery of possession of house subject to statutorily regulated tenancy** ”.
- (7) In section 145—
- (a) in paragraph (a), for the words “the Rent (Scotland) Act 1984 or in Part II of the Housing (Scotland) Act 1988” there is substituted “ an enactment mentioned in subsection (2) ”,
- (b) the existing text becomes subsection (1),
- (c) after that subsection, there is inserted—
- “(2) The enactments referred to in subsection (1) are—
- (a) the Rent (Scotland) Act 1984;
- (b) Part II of the Housing (Scotland) Act 1988;
- (c) the Private Housing (Tenancies) (Scotland) Act 2016.”.

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(8) In section 311(2), in the definition of “interest”, for the words from “a tenant for a year or any less period” to the end there is substituted—

- “(i) a tenant for a year or any shorter period;
- (ii) a statutory tenant within the meaning of the Rent (Scotland) Act 1984;
- (iii) a statutory assured tenant within the meaning of the Housing (Scotland) Act 1988;
- (iv) a tenant under a private residential tenancy as defined in the Private Housing (Tenancies) (Scotland) Act 2016;”.

Commencement Information

II Sch. 4 para. 4 in force at 1.12.2017 by S.S.I. 2017/346, reg. 2, sch.

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