



Housing (Amendment) (Scotland) Act 2018

2018 asp 13

Local authority influence over registered social landlords

9 Power to reduce local authority influence over registered social landlords

- (1) The Scottish Ministers may by regulations make provision for the purpose of limiting or removing the ability of local authorities to exert influence over registered social landlords through—
 - (a) appointing or removing officers of registered social landlords,
 - (b) exercising or controlling voting rights.
- (2) Regulations under subsection (1) may in particular—
 - (a) limit the number of officers that a local authority may appoint,
 - (b) prohibit a local authority from appointing officers,
 - (c) confer power on a registered social landlord to remove officers appointed by a local authority,
 - (d) prohibit a local authority from doing things that would result in it obtaining voting rights in a registered social landlord,
 - (e) require a local authority to take steps to reduce or get rid of any voting rights that it has in a registered social landlord.
- (3) Regulations under subsection (1) may override or modify any contractual or other rights (whenever created) or anything in a registered social landlord's constitution.
- (4) Regulations under subsection (1) may—
 - (a) confer a power on a registered social landlord to amend its constitution in consequence of provision made by the regulations,
 - (b) make provision about the procedure for exercising that power.
- (5) Regulations under subsection (1) may—
 - (a) make different provision for different purposes,
 - (b) include any incidental, supplementary, consequential, transitional, transitory or saving provision as Ministers consider appropriate,
 - (c) modify any enactment.

(6) Regulations under subsection (1) are subject to the affirmative procedure.

(7) In this section—

“appointing”, in relation to an officer, includes nominating or otherwise influencing the selection of the officer,

“constitution” has the meaning given by section 165 of the Housing (Scotland) Act 2010,

“officer, in relation to a registered social landlord, has the meaning given by section 165 of the Housing (Scotland) Act 2010,

“registered social landlord” also has the meaning given by that section.