



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 10

#### SPECIAL PROCEDURE FOR DISPOSALS AND RESTRUCTURING RESULTING IN CHANGE OF LANDLORD

### CHAPTER 2

#### RESTRUCTURING OF A REGISTERED SOCIAL LANDLORD

#### **123 Restructuring resulting in change of landlord**

- (1) This Chapter applies to a restructuring by a registered social landlord—
  - (a) in relation to which the Regulator's consent is required under section 97 or 101, and
  - (b) as a result of which a tenant under a Scottish secure tenancy will cease to be a tenant of the registered social landlord proposing the restructuring.
- (2) Despite subsection (1), this Chapter does not apply where—
  - (a) a registered society converts into a company in accordance with section 52 of the Co-operative and Community Benefit Societies and Credit Unions Act 1965, or
  - (b) the registered social landlord in respect of which a court order is made under section 899 or 900 of the Companies Act 2006 (c.46) is being wound up or is in administration.
- (3) The special procedure set out in sections 114 to 121 of Chapter 1 applies in relation to a restructuring to which this Chapter applies as it applies in relation to a disposal to which Chapter 1 applies.

#### **124 Purchaser protection**

Failure by the Regulator or by a registered social landlord to comply with any provision of sections 114 to 122 of Chapter 1 in relation to a restructuring does not invalidate the Regulator's consent to the restructuring.