
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 650

**The Private Landlord Registration
(Modification) (Scotland) Order 2005**

Modification of section 83

2. Section 83 of the Antisocial Behaviour etc. (Scotland) Act 2004 is modified as follows—
- (a) omit “or” which immediately follows subsection (6)(c); and
 - (b) after subsection (6)(d) insert—
 - “(e) the house is the only or main residence of the relevant person;
 - (f) the house is—
 - (i) on agricultural land which is land comprised in a lease constituting a 1991 Act tenancy within the meaning of the Agricultural Holdings (Scotland) Act 2003⁽¹⁾ or comprised in a lease constituting a short limited duration tenancy or limited duration tenancy (within the meaning of that Act); and
 - (ii) occupied by the tenant of the relevant lease;
 - (g) the house is on a croft (within the meaning of section 3 of the Crofters (Scotland) Act 1993⁽²⁾);
 - (h) the house is—
 - (i) on a holding to which any of the provisions of the Small Landholders (Scotland) Acts 1886 to 1931 applies;
 - (ii) not situated in the crofting counties (within the meaning of the Crofters (Scotland) Act 1993); and
 - (iii) occupied by the landholder;
 - (i) the house is occupied by virtue of a liferent;
 - (j) the house is—
 - (i) owned by an organisation which has the advancement of religion as its principal purpose and the regular holding of worship as its principal activity; and
 - (ii) occupied by a person whose principal responsibility is the leading of members of the organisation in worship and preaching the faith of that organisation;
 - (k) the house is part of an estate of a deceased person and has been held by an executor for a period not exceeding 6 months from the date of death; or
 - (l) the house is in the lawful possession of a heritable creditor and has been held by that creditor for a period not exceeding 6 months from the date of possession.”.

(1) 2003 asp 11.

(2) 1993 c. 44.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
