
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force various provisions of the Housing (Scotland) Act 2001 (“the Act”).

Article 2 and the Schedule bring into force on 30th September 2002 provisions, listed in that Schedule, which primarily relate to the Scottish secure tenancy and right to buy. They also bring into force homelessness and hostel provisions, as well as provisions relating to tenant participation.

Articles 3 to 5 make transitional provisions and savings in relation to the commencement of the Scottish secure tenancy and right to buy. Article 3 saves the Housing (Scotland) Act 1987 provisions (which includes secure tenancy provisions) for Scottish Homes tenancies. Article 4 makes a saving for provisions relating to compensation for improvements which will apply to qualifying work started before 30th September 2002. Article 5 provides that section 35 of the Act (which deals with the conversion of Scottish secure tenancies to short Scottish secure tenancies) will not apply to anti-social behaviour orders made before 30th September 2002.

The 2001 Act received Royal Assent on 18th July 2001. Sections 109, 110 and 113 came into force on Royal Assent.