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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 29(1) of the Housing (Scotland) Act 1987 places a duty on local authorities to provide interim accommodation to certain applicants who present as homeless.

This Order describes accommodation that may not be used to fulfil this duty, for the applicants described in article 3.

In all cases accommodation must meet the standard required by article 4, of being wind and watertight and suitable for occupation by children.

Article 5 sets out further requirements, though these can be disapplied in the circumstances set out in article 6, which include emergency accommodation or where the applicant chooses accommodation that does not meet the requirements. Article 6 also allows use of some non-compliant accommodation provided by voluntary organisations, such as women's refuges, or local authorities.

Article 7 provides two further situations where the article 5 requirements do not apply, but only for a time-limited period. These are where assistance is sought outwith normal hours or where the local authority cannot provide compliant accommodation immediately.

Article 8 revokes an earlier Order that defines unsuitable accommodation for the purposes of section 29.