



# Tenants' Rights, Etc. (Scotland) Act 1980

## 1980 CHAPTER 52

### PART V

#### MISCELLANEOUS

##### *Abolition of Scottish Housing Advisory Committee*

#### **75 Abolition of Scottish Housing Advisory Committee**

The Scottish Housing Advisory Committee established by section 167 of the Housing (Scotland) Act 1966 is abolished and accordingly—

- (a) section 167 of that Act is repealed ;
- (b) in section 91(1) of that Act the words " and after consultation with the Scottish Housing Advisory Committee " are repealed; and
- (c) in section 91(2) of that Act the words "and the said Committee " are repealed.

#### **76 Amendment of sections 17 and 145 of Housing (Scotland) Act 1966**

The Housing (Scotland) Act 1966 shall be amended as follows—

- (a) in section 17 (power to make closing orders with respect to underground rooms), in subsections (2)(b) and (3), the words " with the consent of the Secretary of State " shall cease to have effect;
- (b) in section 145 (powers of dealing with land etc.), in subsection (7)—
  - (i) for the words " section 168 of the Local Government (Scotland) Act 1947 " there shall be substituted the words " section 74 of the Local Government (Scotland) Act 1973 " ;
  - (ii) for the words from " Act of 1947 " to the words " that Act" there shall be substituted the words " Act of 1973 in the exercise of any power under Part VI of that Act " ;
  - (iii) for the words " said section 168 " there shall be substituted the words " said section 74 " .

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*Status: This is the original version (as it was originally enacted).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

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## 77 **Duty of local authority to have regard to amenities of locality etc.**

In fulfilling the duty imposed on it by section 177 of the Housing (Scotland) Act 1966 a local authority shall no longer require to have regard to directions made by the Secretary of State and accordingly, in the said section 177—

- (a) in subsection (1), the words from " artistic interest" to the end are repealed ; and
- (b) in subsection (2) the words ", and if required by the Secretary shall," and the words from ", and the authority " to the end are repealed.

## 78 **Extension of rent allowances**

Part II of the Housing (Financial Provisions) (Scotland) Act 1972 (Rent rebates and allowances) shall be amended as follows—

- (a) in subsection (4) of section 16 (rent allowances) by inserting at the beginning of paragraph (a) the words " a regional council, " ;
- (b) in section 16 by adding after subsection (7) the following subsections—

“(8) Subsection (1) above and, in so far as they relate to rent allowances, sections 17 to 22 below shall, with any necessary modifications, apply in relation to a person who occupies any hostel accommodation as they apply in relation to a tenant to whom those provisions apply.

(9) A person shall not be precluded from receiving an allowance under an allowance scheme by reason only that he does not have exclusive occupation of the house which he occupies.”;

- (c) in section 22(1) by inserting in the appropriate place the following definition—

“" hostel " means a building in which is provided, for persons generally or for any class or classes of persons, residential accommodation (otherwise than in houses) and either board or common facilities for the preparation of food adequate to the needs of those persons, or both.”.

## 79 **Board excluded in calculating rent allowances**

Section 21(1)(b) of the 1972 Act shall be amended by inserting after the word " relates " the words " or for board ".

## 80 **Extension of rent allowance scheme**

In the definition of " housing association " in section 78 (interpretation) of the Housing (Financial Provisions) (Scotland) Act 1972 there shall be added at the end the words—

“where under the terms of the tenancy agreement or of the agreement by which the tenant became a member of the association or otherwise he (or his personal representatives) will be entitled, on his ceasing to be a member and subject to any conditions stated in either agreement, to a sum calculated by reference directly or indirectly to the value of the house.”.

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**81 Agreements for exercise by housing co-operatives of local authority housing functions**

In making an agreement under section 5 of the Housing Rents and Subsidies (Scotland) Act 1975 for the exercise by a housing co-operative of local authority housing functions, a local authority shall no longer require to obtain the consent of the Secretary of State to the terms of the agreement and accordingly, in the said section 5—

- (a) in subsection (2) the words " and the terms of any agreement shall be approved by him " are repealed; and
- (b) in subsection (3) the words " and to the terms " are repealed.