

Status: Point in time view as at 20/01/1997.

Changes to legislation: Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 23

Section 339.

MINOR AND CONSEQUENTIAL AMENDMENTS

General

- 1 —Any reference in any previous enactment to “standard amenities” as set out in section 39 of the Housing (Financial Provisions) (Scotland) Act 1968 or in section 7 of the ^{M1}Housing (Scotland) Act 1974 is a reference to the standard amenities for the purposes of Part XIII as provided for in section 244.

Marginal Citations

M1 1974 c. 45.

- 2 —Any reference in any previous enactment to “tolerable standard” as defined in section 2 of the Housing (Scotland) Act 1969 or in section 14 of the Housing (Scotland) Act 1969 or in section 14 of the Housing (Scotland) Act 1974 is a reference to the tolerable standard as defined in section 86.

The Crofters Holdings (Scotland) Act 1886 (c. 29)

- 3 —In the Schedule, in paragraph 1A, for the words “Part II of the Housing (Scotland) Act 1974” substitute the words “ Part I of Schedule 8 to the Housing (Scotland) Act 1987 ”.

The Sheriff Courts (Scotland) Act 1907 (c. 51)

- 4 —In the Sheriff Courts (Scotland) Act 1907, after section 38 there shall be inserted the following section—

“38A Notice of termination in respect of dwelling-houses.

—Any notice of termination of tenancy or notice of removal given under section 37 or 38 above in respect of a dwelling-house, on or after 2nd December 1974, shall be in writing and shall contain such information as may be prescribed by virtue of section 112 of the Rent (Scotland) Act 1984, and Rule 112 of Schedule 1 to this Act shall no longer apply to any such notice under section 37 above.”

The Crofters (Scotland) Act 1955 (c. 21)

- 5 —In Schedule 5, in paragraph 1A, for the words “Part II of the Housing (Scotland) Act 1974” substitute the words “ Part I of Schedule 8 to the Housing (Scotland) Act 1987 ”.

Status: Point in time view as at 20/01/1997.

Changes to legislation: Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The Clean Air Act 1956 (c. 52)

F16

Textual Amendments

F1 Sch. 23 para. 6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6.

The Coal Mining (Subsidence) Act 1957 (c. 59)

F27

Textual Amendments

F2 Sch. 23 para. 7 repealed (30.11.1991) by Coal Mining Subsidence Act 1991 (c. 45, SIF 86), s. 53(2), Sch. 8(with Sch. 7); S.I. 1991/2508, art.2

The Building (Scotland) Act 1959 (c. 24)

8 —In the Sixth Schedule, in paragraph 4(b)(ii), for the words “1950” substitute the words “ 1987 ”.

The Pipe-lines Act 1962 (c. 58)

9 —In section 30(2), for the words “181”, “1966” and “Part III” substitute the words “ 127 ”, “ 1987 ” and “ Part VI ” respectively.

The Land Compensation (Scotland) Act 1963 (c. 51)

- 10 (1) In section 15(7), for paragraph (d) substitute the following paragraph—
“(d) paragraph 4 of Schedule 1 to the Housing (Scotland) Act 1987.”.
- (2) For Schedule 2 (acquisition of houses as being unfit for human habitation), substitute the following Schedule—

“SCHEDULE 2

ACQUISITION OF HOUSES WHICH DO
NOT MEET THE TOLERABLE STANDARD

Acquisitions to which this Schedule applies

- 1 (1) This Schedule applies to a compulsory acquisition of a description mentioned in sub-paragraph (2) where the land in question comprises a house which, in the opinion of the appropriate local authority does not meet the tolerable standard.
- (2) The compulsory acquisitions referred to are—
(a) an acquisition under Part VI of the Town and Country Planning (Scotland) Act 1972, or

Status: Point in time view as at 20/01/1997.

Changes to legislation: *Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) an acquisition under section 13 of the Housing and Town Development (Scotland) Act 1957, or
- (c) an acquisition in pursuance of Part IX of the Town and Country Planning (Scotland) Act 1972, or
- (d) an acquisition of land within the area designated by an order under section 1 of the New Towns (Scotland) Act 1968 as the site of a new town, or
- (e) an acquisition by a development corporation or a local roads authority or the Secretary of State under the New Towns (Scotland) Act 1968 or under any enactment as applied by any provision of that Act, or
- (f) an acquisition by means of an order under section 141 of the Local Government, Planning and Land Act 1980 vesting land in an urban development corporation; or
- (g) an acquisition by such a corporation under section 142 of that Act.

Procedure

- 2 (1) The local authority may make and submit to the Secretary of State an order, in such form as may be prescribed by regulations made under section 330 of the Housing (Scotland) Act 1987, declaring that the house does not meet the tolerable standard and if—
 - (a) that order is confirmed by the Secretary of State, either before or concurrently with the confirmation of a compulsory purchase order for the acquisition of the land, or
 - (b) in a case where the acquisition is in pursuance of a notice to treat deemed to have been served in consequence of the service of a notice under section 170 of the Town and Country Planning (Scotland) Act 1972 or the provisions of that section as applied by or under any other enactment or in consequence of the service of a notice under section 11 of the New Towns (Scotland) Act 1968 or under section 182 of the Town and Country Planning (Scotland) Act 1972, the order is made before the date on which the notice to treat is deemed to have been served and is subsequently confirmed by the Secretary of State,section 305 and paragraph 12(2) and (3) of Schedule 8 to the Housing (Scotland) Act 1987 (which relate respectively to payments in respect of certain well-maintained houses under Part XV and to compensation for compulsory acquisition under Part IV of the Housing (Scotland) Act 1987) shall apply as if the house had been purchased under Part IV as not meeting the tolerable standard, and as if any reference in that section and paragraph to the local authority were a reference to the acquiring authority.
- (2) Before submitting to the Secretary of State an order under this paragraph, the local authority by whom the order was made shall serve on every owner, and (so far as it is reasonably practicable to ascertain such persons) on the superior of, and the holder of every heritable security over, the land or any part thereof, a notice in such form as may be prescribed as mentioned in the last preceding sub-paragraph, stating the effect of the order and that it is about to be submitted to the Secretary of State for confirmation, and specifying the time within which, and the manner in which, objection thereto can be made.

Status: Point in time view as at 20/01/1997.

Changes to legislation: *Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) If no objection is duly made by any of the persons on whom notices are required to be served, or if all objections so made are withdrawn, the Secretary of State may, if he thinks fit, confirm the order; but in any other case he shall, before confirming the order, consider any objection not withdrawn, and shall, if either the person by whom the objection was made or the local authority so desires, afford to that person and the authority an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
- (4) Section 86 of the Housing (Scotland) Act 1987 shall have effect in determining for the purposes of this paragraph whether a house meets the tolerable standard as it has effect in so determining for the purposes of that Act.
- (5) In this paragraph “appropriate local authority” means a local authority who, in relation to the area in which the land in question is situated, are a local authority for the purposes of the provisions of Part IV of the Housing (Scotland) Act 1987 relating to housing action areas; and “owner,” in relation to any land, includes any person who under the Lands Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking and includes also a lessee under a lease the unexpired period of which exceeds three years.

Amount of compensation

- 3 (1) Where in relation to a compulsory acquisition, section 120(2) to (4) or paragraph 12(2) and (3) of Schedule 8 to the Housing (Scotland) Act 1987 (which relate respectively to the compensation to be paid on the compulsory acquisition of closed houses, and of houses not meeting the tolerable standard) apply (whether by virtue of that Act or of an order under paragraph 2 of this Schedule) and—
 - (a) the relevant land consists of or includes the whole or part of a house (in this paragraph referred to as “the relevant house”) and, on the date of the making of the compulsory purchase order in pursuance of which the acquisition is effected, the person then entitled to the relevant interest was, in right of that interest, in occupation of the relevant house or part thereof as a private dwelling, and
 - (b) that person either continues, on the date of service of the notice to treat, to be entitled to the relevant interest, or, if he has died before that date, continued to be entitled to that interest immediately before his death,

the following provisions of this paragraph shall apply in relation to the acquisition; and in those provisions “the dwelling” means so much of the relevant house as the said person occupied as aforesaid.
- (2) Subject to the next following sub-paragraph, the amount of the compensation payable in respect of the acquisition of the relevant interest shall not in any event be less than the gross annual value of the dwelling.
- (3) Where a payment falls to be made under section 304 or 305 of the Housing (Scotland) Act 1987 to the person entitled to the relevant interest, and that payment is attributable to the relevant house, any reference in the last preceding sub-paragraph to the amount of the compensation payable in

Status: Point in time view as at 20/01/1997.

Changes to legislation: *Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

respect of the acquisition of the relevant interest shall be construed as a reference to the aggregate of that amount and of the amount of the payment.

- (4) For the purposes of this paragraph the gross annual value of the dwelling shall be determined as follows—
- (a) if the dwelling constitutes the whole of the relevant house, the gross annual value of the dwelling shall be taken to be the value which, on the date of service of the notice to treat, is shown in the valuation roll then in force as the gross annual value of that house for rating purposes;
 - (b) if the dwelling is only part of the relevant house, an apportionment shall be made of the gross annual value of the relevant house for rating purposes, as shown in the valuation roll in force on the date of service of the notice to treat, and the gross annual value of the dwelling shall be taken to be the amount which, on such an apportionment, is properly attributable to the dwelling.
- (5) Any reference in this paragraph to the compensation payable in respect of the acquisition of the relevant interest shall be construed as excluding so much (if any) of that compensation as is attributable to disturbance or to severance or injurious affection.
- (6) Nothing in this paragraph shall affect the amount which is to be taken for the purposes of section 20 of this Act (which relates to the consideration payable for the discharge of land from feu-duty and incumbrances) as the amount of the compensation payable in respect of the acquisition of the relevant interest.
- (7) In the application of this paragraph to any lands and heritages whose net annual value is ascertained under subsection (8) of section 6 of the Valuation and Rating (Scotland) Act 1956 (and for which there is therefore no gross annual value shown in the valuation roll)—
- (a) in sub-paragraph (2) above, for the word “gross” there shall be substituted the words “1.25 times the net”; and
 - (b) in sub-paragraph (4) above, for the word “gross”, wherever it occurs, there shall be substituted the word “net”.

Interpretation

- 4 —This Schedule shall be construed as one with Parts IV and XV of the Housing (Scotland) Act 1987.”.

The Local Government (Scotland) Act 1966 (c.51)

- 11 —In section 46(1) (general interpretation), in the definition of “housing revenue account”, for the words “23 of the Housing (Financial Provisions) (Scotland) Act 1972”, substitute the words “203 of the Housing (Scotland) Act 1987”.

The National Loans Act 1968 (c.13)

- 12 —In Schedule 4, for the words “78” and “1950” substitute the words “231” and “1987” respectively.

Status: Point in time view as at 20/01/1997.

Changes to legislation: Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The New Towns (Scotland) Act 1968 (c.16)

- 13 (1) In section 6, subsection (6) shall cease to have effect.
- (2) After section 38A of the New Towns (Scotland) Act 1968 (as inserted by section 4(2) of the Statutory Corporations (Financial Provisions) Act 1974) there shall be inserted the following section—

“38B Disposal of surplus funds of development corporations.

- (1) Where it appears to the Secretary of State, after consultation with the Treasury and the development corporation, that a development corporation have a surplus, whether on capital or on revenue account, after making allowance by way of transfer to reserve or otherwise for their future requirements, the development corporation shall, if the Secretary of State after such consultation as aforesaid so directs, pay to the Secretary of State such sum not exceeding the amount of that surplus as may be specified in the direction; and any sum received by the Secretary of State under this section shall, subject to subsection (3) of this section, be paid into the Consolidated Fund.
- (2) The whole or part of any payment made to the Secretary of State by a development corporation under subsection (1) above shall, if the Secretary of State with the approval of the Treasury so determines, be treated as made by way of repayment of such part of the principal of advances under section 37(1) of this Act, and as made in respect of the repayments due at such times, as may be so determined.
- (3) Any sum treated under subsection (2) above as a repayment of a loan shall be paid by the Secretary of State into the National Loans Fund.”

The Clean Air Act 1968 (c.62)

F3 14

Textual Amendments

F3 Sch. 23 para. 14 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6.

The Post Office Act 1969 (c.48)

- 15 —In Schedule 4—
- (a) in paragraph 83(1), for “II of the Housing (Scotland) Act 1974” substitute “IV of the Housing (Scotland) Act 1987”;
- (b) in paragraph 83(2), for “section 33 of the Housing (Scotland) Act 1974”, substitute “paragraph 9 of Schedule 8 to the Housing (Scotland) Act 1987”;
- (c) in paragraph 83(3), for “33(4) of the Housing (Scotland) Act 1974” substitute “paragraph 9(4) of Schedule 8 to the Housing (Scotland) Act 1987”;
- (d) in paragraph 88(3), for “208 of the Housing (Scotland) Act 1966” substitute “section 338 of the Housing (Scotland) Act 1987”.

Status: Point in time view as at 20/01/1997.

Changes to legislation: *Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

The Local Authority Social Services Act 1970 (c.42)

- 16 —In Schedule 1, at the end insert in column 1 the words “Housing (Scotland) Act 1987 (c. 26) Section 38(b)” and in column 2 the words “Co-operation in relation to homeless persons and persons threatened with homelessness.”.

The Chronically Sick and Disabled Persons Act 1970 (c.44)

- 17 —In section 3(2), for the words “VII”, “1966” and “137” substitute the words “I”, “1987” and “1” respectively.

The Town and Country Planning (Scotland) Act 1972 (c.52)

- 18 —In section 186, for “section 26 of the Housing (Scotland) Act 1974” substitute “paragraph 5 of Schedule 8 to the Housing (Scotland) Act 1987” and for “section 29(2) and (3) of the Housing (Scotland) Act 1974”, substitute “paragraph 12(2) and (3) of Schedule 8 to the Housing (Scotland) Act 1987”.

The Land Compensation (Scotland) Act 1973 (c.56)

- 19 (1) In section 27(1)(f), for the words “15(2) of the Tenants’ Rights, Etc (Scotland) Act 1980” and “2” substitute the words “48(2) of the Housing (Scotland) Act 1987” and “3” respectively.
- (2) In section 27(7)—
- (a) in paragraph (a), for the words “II”, “1966”, “14A of the Housing (Scotland) Act 1974” substitute the words “VI”, “1987”, “88 of that Act” respectively;
 - (b) in paragraph (b), for the words “56” substitute the words “125”; and omit the words “of 1966”;
 - (c) in paragraph (c), for the words “15(4)(i)” substitute the words “117(2)(a)”; and omit the words “of 1966”;
 - (d) in paragraph (d), for the words “II of the Housing (Scotland) Act 1974” substitute the words “I of Schedule 8 to that Act”.
- (3) In section 29(7AA), for the words “14 of the Tenants’ Rights, Etc. (Scotland) Act 1980” and “2” substitute the words “47 and 48(2) of the Housing (Scotland) Act 1987” and “3” respectively.
- (4) In section 34(2), for the words from “section 20” to the end substitute the words “section 121 and paragraph 12 of Schedule 8 to the Housing (Scotland) Act 1987 and “owner occupier’s supplement” means a payment under sections 308 to 311 of that Act.”.
- (5) In section 36—
- (a) in subsection (4)(b), after the words “1968” insert the words “or section 214 of the Housing (Scotland) Act 1987”;
 - (b) in subsection (7), for the words “VII” and “1966” substitute the words “I” and “1987” respectively.
- (6) In section 38(6), for the words “1974” and “14” substitute the words “1987” and “86”.

Status: Point in time view as at 20/01/1997.

Changes to legislation: *Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (7) In section 39—
- (a) in subsections 1(b) and 2(a), (b), for the words “VII” and “1966” substitute the words “I” and “1987” respectively;
 - (b) in subsection (6), for the words “(Financial Provisions) (Scotland) Act 1972” substitute the words “(Scotland) Act 1987”.
- (8) In section 53(3), for the words “114”, “1966” and “VII” substitute the words “11”, “1987” and “I” respectively.
- (9) In section 69(1)—
- (a) in paragraph (a), for the words “15 or 17 of the Housing (Scotland) Act 1974 or under section 16 of that Act” and “18(4)(c)” substitute the words “86, 89 and 91 of the Housing (Scotland) Act 1987” and “92(4)(c)”;
 - (b) in paragraph (b), for the words “18(4)(a)” substitute the words “92(4)(a)”.
- (10) In section 69(3), for the words “II” and “1974” substitute the words “IV” and “1987”.
- (11) In section 80—
- (a) in the definition of “housing association” for the words “section 208(1) of the Housing (Scotland) Act 1966” substitute the words “the Housing Associations Act 1985”;
 - (b) in the definition of “registered”, for the words from “in the register” to the end substitute the words “under the Housing Associations Act 1985”.

The Local Government (Scotland) Act 1973 (c.65)

- 20 (1) In section 130—
- (a) in subsection (1), for the words “Acts 1966 to 1973” substitute the words “Act 1987”;
 - (b) in subsection (2), for the words “VII” and “1966” substitute the words “I” and “1987”.
- (2) In section 131, subsection (2) shall cease to have effect.
- (3) In section 236(2)(d), for the words “Acts 1966 to 1973” substitute the words “Act 1987”.
- (4) In Schedule 9, paragraph 73 shall cease to have effect.
- (5) In Schedule 12, paragraphs 1, 2, 5, 6 to 19 and 21 to 24 shall cease to have effect.

Consumer Credit Act 1974 (c.37)

- 21 —In section 16(1)(ff), for the words “2 of the 1978 Act or section 31 of the 1980 Act” substitute the words “223 or 229 of the Housing (Scotland) Act 1987”.

Land Tenure Reform (Scotland) Act 1974 (c.38)

- 22 —In section 8(7), for the words “Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “Housing (Scotland) Act 1987”.

Status: Point in time view as at 20/01/1997.

Changes to legislation: Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Local Government (Scotland) Act 1975 (c.30)

F423

Textual Amendments

F4 Sch. 23 para. 23 repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4

The National Health Service (Scotland) Act 1978 (c.29)

- 24 —In section 100(1)—
- (a) in paragraph (a), for the words “1966” substitute the words “ 1987 ”;
 - (b) for paragraph (b) substitute the following paragraphs—
 - “(b) the Scottish Special Housing Association;
 - (c) a Housing Association or Housing Trust within the meaning of the Housing Associations Act 1985.”;
 - (c) in paragraph (c), for the word “(c)” substitute the word “ (d) ”.

The Local Government, Planning and Land Act 1980 (c.65)

- 25 (1) In section 152(1)(c), for the words “1 of the Homes Insulation Act 1978” substitute the words “ 252 of the Housing (Scotland) Act 1987 ”;
- (2) In section 153(1)(a), for the words “Housing (Scotland) Acts 1966 to 1978 and the Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ Housing Associations Act 1985 and the Housing (Scotland) Act 1987 ”;
- (3) In section 156(4), for the words “Parts I, II and III of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ Part III of the Housing (Scotland) Act 1987 ”.

The Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)

- 26 —In section 13(11), for the words “the Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ Part III of the Housing (Scotland) Act 1987 ”.

The Local Government and Planning (Scotland) Act 1982 (c.43)

- 27 —In section 24(2), for the words “32(1)(b) of the Housing (Financial Provisions) (Scotland) Act 1972” substitute the words “ 211(1)(b) of the Housing (Scotland) Act 1987 ”.

The Civic Government (Scotland) Act 1982 (c.45)

- 28 (1) In section 87(5), for the words “Part II of the Housing (Scotland) Act 1969” and “24(1) of the Housing (Scotland) Act 1969” substitute the words “ Part V of the Housing (Scotland) Act 1987 ” and “ 108 of that Act ” respectively.
- (2) In section 108(2), for the words “2 to the Housing (Scotland) Act 1969” substitute the words “ 9 to the Housing (Scotland) Act 1987 ”.

Status: Point in time view as at 20/01/1997.

Changes to legislation: *Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

The Rent (Scotland) Act 1984 (c.58)

- 29 (1) In section 5(5), for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the Housing (Scotland) Act 1987 ”.
- (2) In section 6(8), for the words “208(1) of the Housing (Scotland) Act 1966” substitute the words “ 338 of the Housing (Scotland) Act 1987 ”.
- (3) In section 59, for the words “Subsections (1), (2) and (4) of section 62 of the Housing (Scotland) Act 1969” substitute the words “ Sections 212 and 213 of the Housing (Scotland) Act 1987 ”; and the words from “except that” to the end shall cease to have effect.
- (4) In section 63(4)—
- (a) in paragraph (f), for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the Housing (Scotland) Act 1987 ”;
 - (b) in paragraph (g), the words from “or any” to the end shall cease to have effect.
- (5) In section 66(1), for the words “23 of the Housing (Financial Provisions) (Scotland) Act 1972” substitute the words “ 203 of the Housing (Scotland) Act 1987 ”.
- (6) In section 101(2) and (3), for the words “4 to the Tenants’ Rights, Etc (Scotland) Act 1980” substitute the words “ 5 to the Housing (Scotland) Act 1987 ”.
- (7) In section 106—
- (a) in subsection (1), after the words “1974” insert the words “ or Part XIII of the Housing (Scotland) Act 1987 ”;
 - (b) in subsection (2), after the words “1974” insert the words “ or section 241(2) of the Act of 1987 ”.
 - (c) in subsection (5), for the words “39(1) of the said Act of 1968” and “2 of the Housing (Scotland) Act 1969” substitute the words “ 86 of the Act of 1987 ” and “ 240 of that Act ” respectively.
- (8) In Schedule 2, Part IV—
- (a) in paragraph 4, for the words “89” and “ 1966 ” substitute the words “ 135 ” and “ 1987 ” respectively;
 - (b) in paragraph 6, for the words “VII” and “1966” substitute the words “ I ” and “ 1987 ”.

The Housing Act 1985 (c.68)

- 30 ^{F5}(1)
- (2) In section 187, in the definition of “long tenancy”, paragraph (b) shall cease to have effect.
- (3) In section 458, in the definition of “the corresponding Scottish provisions” for the words from “the Home” to the end substitute the words “ sections 222 to 228 of the Housing (Scotland) Act 1987 ”.
- (4) In Schedule 4, in paragraph 7(2)—
- (a) in the definition of “housing association”, for the words “paragraph (e) of section 10(2) of the Tenants’ Rights, Etc. (Scotland) Act 1980” and “11”

Status: Point in time view as at 20/01/1997.

Changes to legislation: Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- substitute the words “ section 61(2)(a)(vi) of the Housing (Scotland) Act 1987 ” and “ 45 ” respectively;
- (b) in the definition of “housing co-operative”, for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the said Act of 1987 ”.

Textual Amendments

F5 Sch. 23 para. 30(1) repealed (20.1.1997) by 1996 c. 52, s. 227, Sch. 19 Pt. VIII; S.I. 1996/2959, art. 2

The Housing Associations Act 1985 (c.69)

- 31 (1) In section 8(1), for the words “Part I of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ Part III of the Housing (Scotland) Act 1987 ”.
- (2) In section 10(2)(b), for the words “paragraphs 2 to 7 of Schedule 1 to the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ paragraphs 1 to 8 of Schedule 2 to the Housing (Scotland) Act 1987 ”.
- (3) In section 39, in the definition of “secure tenancy” for the words “10 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 44 of the Housing (Scotland) Act 1987 ”.
- (4) In section 44(1)(b), for the words “1 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 65 of the Housing (Scotland) Act 1987 ”.
- (5) In section 45—
- (a) in subsection (2)(b), for the words “(11)(e) of section 1 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ (4)(d) and (e) of section 61 of the Housing (Scotland) Act 1987 ”;
- (b) in subsection (5), for the words “6 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 72 of the Housing (Scotland) Act 1987 ”.
- (6) In section 52(1)(f), for the words “6 of the Tenants’ Rights, Etc. (Scotland) Act 1980” substitute the words “ 72 of the Housing (Scotland) Act 1987 ”.
- (7) In section 59, at the end add the following subsection—
- “(5) Sections 6, 15, 320 and 329 of the Housing (Scotland) Act 1987 (general provisions with respect to housing functions of local authorities etc.) apply in relation to this section and section 61, as they apply in relation to the provisions of that Act.”
- (8) In section 69A(b), for the words “5 of the Housing Rents and Subsidies (Scotland) Act 1975” substitute the words “ 22 of the Housing (Scotland) Act 1987 ”.
- (9) In section 88(5), for the words “175(2) of the Housing (Scotland) Act 1966” substitute the words “ 23 of the Housing (Scotland) Act 1987 ”.

Airports Act 1986 (c.31)

- 32 —In Schedule 2, paragraph 4, for the words “56” and “1966” substitute the words “ 125 ” and “ 1987 ”.

Status:

Point in time view as at 20/01/1997.

Changes to legislation:

Housing (Scotland) Act 1987, SCHEDULE 23 is up to date with all changes known to be in force on or before 13 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.