



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART II

#### HOMELESS PERSONS

##### *Duties of local authorities with respect to homelessness and threatened homelessness*

#### **29 Interim duty to accommodate**<sup>F1</sup>....

- (1) If the local authority have reason to believe that an applicant may be homeless<sup>F2</sup> . . . , they shall secure that accommodation is made available for his occupation
  - [<sup>F3</sup>(a)] pending any decision which they may make as a result of their inquiries under section 28.
  - [<sup>F4</sup>(b)] where the applicant has, under section 35A, requested a review of a decision of the authority, until they have notified him in accordance with section 35B of the decision reached on review.]
  - [<sup>F5</sup>(c)] where, by virtue of a decision referred to in paragraph (a) or (b), the authority have a duty under section 31 to secure that accommodation of a particular description becomes available for the applicant's occupation, until such accommodation becomes available.]
- (2) This duty arises irrespective of any local connection which an applicant may have with the district of another local authority.
- [<sup>F6</sup>(3) In subsection (1), “accommodation”, in the first place where the expression occurs, does not include accommodation of such description as the Scottish Ministers may, by order made by statutory instrument, specify.
- (4) Such an order may—
  - (a) specify any description of accommodation subject to conditions or exceptions,
  - (b) make different provision for different purposes and different areas.
- (5) A statutory instrument containing an order under subsection (3) is subject to annulment in pursuance of a resolution of the Scottish Parliament.]

**Changes to legislation:** Housing (Scotland) Act 1987, Section 29 is up to date with all changes known to be in force on or before 09 May 2024. 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) View outstanding changes

### Textual Amendments

- F1** Words in s. 29 heading omitted (31.12.2012) by virtue of [The Homelessness \(Abolition of Priority Need Test\) \(Scotland\) Order 2012 \(S.S.I. 2012/330\)](#), arts. 2, 6
- F2** Words in s. 29(1) repealed (30.9.2002) by [2001 asp 10, s. 3\(2\)](#); S.S.I. 2002/321, art. 3, [Sch.](#) (subject to transitional provisions and savings in [arts. 3-5](#))
- F3** Words in s. 29(1) renumbered as para. (a) (1.4.2002) by virtue of [2001 asp 10, s. 4\(1\)\(a\)](#); S.S.I. 2002/168, art. 2, [Sch.](#) (subject to transitional provisions and savings in [art. 3](#))
- F4** S. 29(1)(b) inserted (1.4.2002) by [2001 asp 10, s. 4\(1\)\(b\)](#); S.S.I. 2002/168, art. 2, [Sch.](#) (subject to transitional provisions and savings in [art. 3](#))
- F5** S. 29(1)(c) inserted (30.1.2004) by [Homelessness etc. \(Scotland\) Act 2003 \(asp 10\), ss. 9\(1\)\(a\)](#), 14(1); S.S.I. 2003/609, art. 2
- F6** S. 29(3)-(5) inserted (30.1.2004) by [Homelessness etc. \(Scotland\) Act 2003 \(asp 10\), ss. 9\(1\)\(b\)](#), 14(1); S.S.I. 2003/609, art. 2

### Modifications etc. (not altering text)

- C1** S. 29(1)(b) restricted (8.1.2003) by [2002 c. 41, s. 54, Sch. 3 para. 1\(1\)\(f\)](#) (with s. 159); S.I. 2002/2811, art. 2, [Sch.](#) (with transitional provisions in [arts. 3-6](#))
- S. 29(1)(b) restricted (8.1.2003) by [2002 c. 41, s. 55\(4\)\(a\)](#) (with s. 159); S.I. 2002/2811, art. 2, [Sch.](#) (with transitional provisions in [arts. 3-6](#))

**Changes to legislation:**

Housing (Scotland) Act 1987, Section 29 is up to date with all changes known to be in force on or before 09 May 2024. 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.

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**Changes and effects yet to be applied to :**

- s. 29(1) by [2001 asp 10 s. 3\(2\)](#)
- s. 29(1) by [2001 asp 10 s. 4\(1\)\(a\)](#)
- s. 29(1)(b) by [2001 asp 10 s. 4\(1\)\(b\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)