



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART II

#### HOMELESS PERSONS

##### *Supplementary provisions*

#### **42 Application of this Part to cases arising in England or Wales.**

- (1) Sections 33 and 34 (referral of application to another local authority and duties to persons whose applications are referred) apply—
  - (a) to applications referred by a local authority in England or Wales in pursuance of [<sup>F1</sup>section 198(1) of the Housing Act 1996], and
  - (b) to persons whose applications are so transferred, as they apply to cases arising under this Part.
- (2) Section 38 (duty of other authorities to co-operate with local authority) applies to a request by a local authority in England or Wales under [<sup>F2</sup>section 213 of the Housing Act 1996] as it applies to a request by a local authority in Scotland.
- (3) In this Part, in relation to England and Wales—
  - (a) “local authority” means a local housing authority within the meaning of section 1(1) of the said Act of 1985 and references to the district of such an authority are to the area of the council concerned,
  - (b) “social work authority” means a social services authority for the purposes of the <sup>M1</sup>Local Authority Social Services Act 1970, as defined in section 1 of that Act;

and in section 38(a) (requests for co-operation) “development corporation” means a development corporation established by an order made or having effect as if made under the <sup>M2</sup>New Towns Act 1981 or the Commission for the New Towns.

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**Changes to legislation:** *Housing (Scotland) Act 1987, Section 42 is up to date with all changes known to be in force on or before 18 May 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) View outstanding changes*

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#### Textual Amendments

- F1** Words in s. 42(1) substituted (20.1.1997) by [1996 c. 52, s. 216\(3\)](#), [Sch. 17 para. 4](#); S.I. 1996/2959, [art. 2](#)
- F2** Words in s. 42(2) substituted (20.1.1997) by [1996 c. 52, s. 216\(3\)](#), [Sch. 17 para. 4](#); S.I. 1996/2959, [art. 2](#)
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#### Marginal Citations

- M1** [1970 c. 42](#).
- M2** [1981 c. 64](#).

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**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\(40\)\(a\)\(b\)](#)