

Changes to legislation: National Health Service and Community Care Act 1990, Cross Heading: The Housing (Scotland) Act 1988 and the Rent (Scotland) Act 1984 is up to date with all changes known to be in force on or before 30 August 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

SCHEDULES

SCHEDULE 8

PROVISIONS ARISING OUT OF REMOVAL OF CROWN IMMUNITIES FROM HEALTH SERVICE BODIES

Commencement Information

II Sch. 8 wholly in force at 1.4.1991 see s. 67(2) and S.I. 1990/1329, art. 2(8), Sch. 3.

PART III

TRANSITIONAL PROVISIONS

The Housing (Scotland) Act 1988 and the Rent (Scotland) Act 1984

- 20 (1) This paragraph applies to a tenancy—
- (a) which was entered into before the appointed day; and
 - (b) which is of land in Scotland which, immediately before the appointed day, was functional health service land.
- (2) If and so long as the interest of the landlord under a tenancy to which this paragraph applies continues on and after the appointed day to belong in fact either to the Secretary of State or to an NHS trust, it shall be taken to belong to a government department for the purposes of—
- (a) paragraph 10 of Schedule 4 to the ^{M1}Housing (Scotland) Act 1988 (Crown tenancies entered into after the commencement of that Schedule not to be assured tenancies); or
 - (b) section 4 of the ^{M2}Rent (Scotland) Act 1984 (earlier Crown tenancies not to be protected tenancies).
- (3) Expressions used in sub-paragraphs (1) and (2) above have the same meaning as in Part II of the Housing (Scotland) Act 1988 or, as the case may be, the Rent (Scotland) Act 1984.

Marginal Citations

M1 1988 c. 43.

M2 1984 c. 58.

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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. 4A(1)(c) and word added by [S.I. 2006/1056 Sch. para. 5\(a\)\(ii\)](#) (This amendment comes into force on the day on which 2005 asp 13, s. 20 comes into force, see art. 1(2)(b))