

SCHEDULE 12 MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Notes to Schedule K, shall cease to have effect.

Housing (Scotland) Act 1987 (c. 26)

- 48 (1) The Housing (Scotland) Act 1987 shall be amended in accordance with this paragraph.
- (2) In section 16 (disposal of land for erection of churches etc.), for the word “feu” substitute “disposition”.
- (3) In section 84A (application of right to buy to cases where landlord is lessee), for the word “interest”, wherever it occurs, substitute “real right”.
- (4) In section 125(2) (notice to certain persons of time and place at which question of demolishing building will be considered), the words “of the superior of whom such owner holds, and” shall cease to have effect.
- (5) In section 132, subsection (1) (notice to superiors of certain proceedings in relation to lands and heritages) shall cease to have effect.
- (6) In section 155(1) (power to require information), for the words “an estate” substitute “a right”.
- (7) In section 175(1) (protection of superiors and owners)—
- (a) the words “superior or” shall cease to have effect; and
 - (b) for the word “estate” substitute “right”.
- (8) In section 177(b) (interpretation), for the words “an estate” substitute “a right”.
- (9) In section 179 (general effect of control order)—
- (a) in subsection (1)(b), for the words “an estate” substitute “a right”; and
 - (b) in subsection (2), for the words “under this section have an interest amounting to an estate in” substitute “own”.
- (10) In section 180 (effect of control order on occupier)—
- (a) in subsection (2)—
 - (i) in paragraph (a), for the words “an estate” substitute “a right”; and
 - (ii) in paragraph (b), for the words “an estate in” substitute “ownership of”; and
 - (b) in subsection (6), for the words “an estate” substitute “a right”.
- (11) In section 186 (appeal against control order), in each of subsections (1) and (2), for the words “an estate” substitute “a right”.
- (12) In section 190(1) (interpretation), in the definition of “licence”, for the words “an estate or interest therein” substitute “ownership, tenancy or a real right”.

Status: This is the original version (as it was originally enacted).

- (13) Section 334 (power of heir of entail to sell land for housing purposes) shall cease to have effect.
- (14) In section 338(1) (interpretation)—
- (a) in the definition of “land”, for the word “estate” substitute “right”; and
 - (b) the definitions of—
 - (i) “sell” and “sale”; and
 - (ii) “superior”,shall cease to have effect.
- (15) In Schedule 9 (recovery of expenses by charging order), in paragraph 7, for the words “bond and disposition in” substitute “standard”.
- (16) In Schedule 11 (houses in multiple occupation: control orders)—
- (a) in paragraph 4(1), for the words “an estate” substitute “a right”; and
 - (b) in paragraph 5(3), for the words—
 - (i) “an estate” substitute “a right”; and
 - (ii) “that estate” substitute “that right”.