

HOUSING (SCOTLAND) ACT 2001

EXPLANATORY NOTES

BACKGROUND AND OVERVIEW

Part 2 – Tenants of Social Landlords

Chapter 2 – Right to Buy

Section 43: Exemptions from right to buy

71. This section amends the range of circumstances under which the right to buy cannot be exercised.
72. *Subsection (2)* repeals the existing provisions relating to specialist and group housing. These are replaced by a single exemption at *subsection (6)* for groups of houses designed for persons with special needs with or situated near special facilities, or where tenants are in receipt of housing support. *Subsection (2)* also ends the current exemption under section 61(4)(b) of the 1987 Act for registered housing associations which have not received public subsidy.
73. *Subsection (4)* confirms the exemption from right to buy of properties which are part of a co-operative housing association and *subsection (5)* amends the exemption for some charitable housing associations. Any registered social landlord which is a Scottish charity on the date when the Housing (Scotland) Act 2001 received Royal Assent will be exempt from the right to buy.