



# Housing (Scotland) Act 2001

## 2001 asp 10

### PART 3

#### REGULATION OF SOCIAL LANDLORDS

### CHAPTER 3

#### COMMON PROVISIONS

##### *Disposals of tenanted houses: consultation and consent*

#### 76 Disposals of tenanted houses: consultation and consent

- (1) Schedule 9 (which makes provision for consultation with tenants, including a ballot, where a disposal by a local authority landlord<sup>F1</sup>... would result in a change of landlord for a tenant under a Scottish secure tenancy) has effect.
- (2) Where a disposal to which that schedule applies is to a person other than a registered social landlord, the Scottish Ministers must not give consent to the disposal under section 12(7) of the 1987 Act<sup>F2</sup>... unless they are satisfied that a disposal to a registered social landlord is not appropriate.

#### Textual Amendments

- F1** Words in s. 76(1) repealed (1.4.2012) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), s. 166(2), [sch. 2 para. 7\(4\)\(a\)](#); S.S.I. 2012/39, art. 2, sch. 1 (with sch. 2) (as amended (1.4.2012) by S.S.I. 2012/91, art. 4)
- F2** Words in s. 76(2) repealed (1.4.2012) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), s. 166(2), [sch. 2 para. 7\(4\)\(b\)](#); S.S.I. 2012/39, art. 2, sch. 1 (with sch. 2) (as amended (1.4.2012) by S.S.I. 2012/91, art. 4)

#### Commencement Information

- I1** S. 76 wholly in force at 1.11.2001, see s. 113 and [S.S.I. 2001/336](#), art. 2(3), [Sch. Pt. II](#) (subject to transitional provisions in [art. 3](#)) (as amended by [S.S.I. 2001/397](#), [art. 7\(b\)](#))

**Changes to legislation:**

Housing (Scotland) Act 2001, Cross Heading: Disposals of tenanted houses: consultation and consent is up to date with all changes known to be in force on or before 20 April 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.

[View outstanding changes](#)

**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. 5(5A) inserted by [2003 asp 10 s. 5\(4\)\(c\)](#) (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. 14(1)(a) words renumbered as s. 14(1)(a) by [2021 asp 16 s. 22\(2\)\(a\)\(i\)](#)
- s. 14(1)(b) inserted by [2021 asp 16 s. 22\(2\)\(a\)\(ii\)](#)
- s. 14(1A)(1B) inserted by [2021 asp 16 s. 22\(2\)\(b\)](#)
- s. 14(5C)-(5E) inserted by [2021 asp 16 s. 22\(2\)\(e\)](#)
- s. 16(2)(d)(e) inserted by [2021 asp 16 s. 22\(3\)\(b\)\(ii\)](#)
- s. 16(3ZA)(3ZB) inserted by [2021 asp 16 s. 22\(3\)\(c\)](#)
- s. 16(5C) inserted by [2021 asp 16 s. 22\(3\)\(e\)](#)
- s. 16(7)-(10) inserted by [2021 asp 16 s. 22\(3\)\(f\)](#)
- s. 34(7A)-(7C) inserted by [2003 asp 10 s. 6\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 6 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 34(8)(b) and words inserted by [2003 asp 10 s. 6\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 6 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 89(12) inserted by [2019 asp 10 s. 18\(3\)](#)
- sch. 2 para. 15A inserted by [2021 asp 16 s. 22\(4\)](#)
- sch. 6 para. 5A and cross-heading inserted by [2003 asp 10 s. 5\(5\)](#) (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)