



# Housing (Scotland) Act 2001

## 2001 asp 10

### PART 3 **S**

#### REGULATION OF SOCIAL LANDLORDS

### CHAPTER 4 **S**

#### INTERPRETATION OF PART 3

#### **F1**82    **Meaning of “subsidiary” and “associate” **S****

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#### **Textual Amendments**

**F1** Ss. 79-82 repealed (1.4.2012) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), s. 166(2), [sch. 2 para. 7\(5\)](#); [S.S.I. 2012/39](#), art. 2, [sch. 1](#) (with [sch. 2](#))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)

#### **83**    **Interpretation of Part 3 **S****

- (1) References in this Part to an officer of a registered social landlord are—
- (a) in the case of [<sup>F2</sup>a co-operative or community benefit society], to any officer of the society as defined in [<sup>F3</sup>section 149 of the Co-operative and Community Benefit Societies Act 2014], including a co-opted member of the committee of the society, and
  - (b) in the case of a company [<sup>F4</sup>registered under the Companies Act 2006] (c.6), to any director or other officer of the company [<sup>F5</sup>within the meaning of the Companies Acts (see sections 250 and 1173(1) of that Act)] .
- (2) In this Part, in relation to [<sup>F6</sup>a co-operative or community benefit society] —
- (a) “committee” means the committee of management or other directing body of the society,

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- (b) “co-opted member”, in relation to the committee, includes any person co-opted to serve on the committee, whether the person is a member of the society or not,
- (c) any reference to a member of the committee includes a co-opted member.

(3) In this Part—

“co-operative housing association” has the meaning given in section 300(1)(b) of the 1987 Act,

“housing activities” means, in relation to a registered social landlord, all its activities in pursuance of the purposes, objects and powers mentioned in section 58,

“housing association” and, in relation to a housing association, “fully mutual” have the meanings given in section 1 of the Housing Associations Act 1985 (c.69),

“provision of housing accommodation and related services” includes—

- (a) the prevention and alleviation of homelessness,
- (b) the management of housing accommodation,
- (c) the provision of services for owners and occupiers of houses,
- (d) the provision and management of sites for persons of nomadic habit of life, whatever their race or origin,

“shared ownership agreement” means an agreement whereby—

- (a) a pro indiviso right in a house is sold, and the remaining pro indiviso rights therein are leased, to a person subject to the person being entitled, from time to time, to purchase those remaining rights until that person has purchased the entire house, or
- (b) pro indiviso rights in houses are conveyed to trustees to hold on behalf of persons each of whom, by purchasing a share in those houses, becomes entitled to exclusive occupancy of one of the houses but with any such person who wishes to sell or otherwise dispose of that person’s share being required to do so through the agency of the trustees,

or such other agreement as may be approved by the Scottish Ministers whereby a person acquires a pro indiviso right in a house or houses and thereby becomes entitled to exclusive occupancy of the house or, as the case may be, one of the houses.

#### Textual Amendments

- F2** Words in s. 83(1)(a) substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 79\(2\)\(a\)](#) (with Sch. 5)
- F3** Words in s. 83(1)(a) substituted (1.8.2014) by virtue of [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 79\(2\)\(b\)](#) (with Sch. 5)
- F4** Words in s. 83(1)(b) substituted (1.10.2009) by virtue of [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\), art. 1\(2\), Sch. 1 para. 191\(4\)\(a\)](#) (with art. 10)
- F5** Words in s. 83(1)(b) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\), art. 1\(2\), Sch. 1 para. 191\(4\)\(b\)](#) (with art. 10)
- F6** Words in s. 83(2) substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 79\(3\)](#) (with Sch. 5)

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#### **Commencement Information**

- II** S. 83 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:**

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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. 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)