

---

**Changes to legislation:** *Housing (Scotland) Act 2001, Paragraph 13 is up to date with all changes known to be in force on or before 25 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. (See end of Document for details) View outstanding changes*

---

SCHEDULE 10  
MODIFICATION OF ENACTMENTS

*Housing (Scotland) Act 1987 (c.26)*

- 13 (1) The Housing (Scotland) Act 1987 is amended as follows.
- (2) Sections 1, 12A and 17C are repealed.
- (3) In section 21 (publication of rules relating to the housing list and to transfer of tenants)—
- (a) in subsection (1), paragraphs (a)(i) and (b) are repealed,
  - (b) in subsection (2), for the words from “housing” to the end of paragraph (a) substitute “social landlord—
    - (a) to make rules governing the matters mentioned in subsection (1)(a)(ii) to (iv);”,
  - (c) in subsection (3)—
    - (i) paragraph (i) is repealed,
    - <sup>F1</sup>(ii) .....
    - (iii) in paragraph (ii), for “the association under a” substitute “ a registered social landlord under a Scottish ”.
- (4) Sections 22 and 22A are repealed.
- (5) Sections 44 to 60 are repealed.
- <sup>F2</sup>(6) .....
- <sup>F2</sup>(7) .....
- <sup>F2</sup>(8) .....
- <sup>F2</sup>(9) .....
- <sup>F2</sup>(10) .....
- <sup>F2</sup>(11) .....
- <sup>F2</sup>(12) .....
- <sup>F2</sup>(13) .....
- <sup>F2</sup>(14) .....
- <sup>F2</sup>(15) .....
- <sup>F2</sup>(16) .....
- <sup>F2</sup>(17) .....
- <sup>F2</sup>(18) .....
- <sup>F2</sup>(19) .....
- <sup>F2</sup>(20) .....

*Changes to legislation: Housing (Scotland) Act 2001, Paragraph 13 is up to date with all changes known to be in force on or before 25 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. (See end of Document for details) View outstanding changes*

(21) In section 212(5) (rent increase notice provisions not to apply to secure tenancies), after “a” insert “ Scottish ”.

(22) Section 214(9) (advances for purpose of rent to loan scheme) is repealed.

F3(23) .....

F3(24) .....

F3(25) .....

F3(26) .....

F3(27) .....

F3(28) .....

F3(29) .....

F3(30) .....

F3(31) .....

F3(32) .....

F3(33) .....

F3(34) .....

F3(35) .....

(36) In section 276 (repurchase by authority other than local authority, in the Table—

- (a) in entry 1 (registered housing associations etc.), in column 1, for the words from “housing” in the first place where it occurs to the end substitute “ social landlord or a predecessor of that landlord ”,
- (b) entry 2 (Scottish Homes and the Scottish Special Housing Association) is repealed.

(37) In subsection (1) of section 281 (effect of repurchase on certain tenancies)—

- (a) for the words from “44” to “tenancy)” substitute “ 11(1)(b) (Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) ”,
- (b) after “a” in the fifth place where it occurs insert “ Scottish ”.

(38) In section 282 (grant of tenancy to former owner-occupier)—

- (a) in subsection (2)—
  - (i) for the words from “44(2)” to “tenancies)” substitute “ 11(1)(b) (Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) ”,
  - (ii) after “a” insert “ Scottish ”,
- (b) in subsection (3)(a), after “a” insert “ Scottish ”.

(39) In section 283 (grant of tenancy to former statutory tenant)—

- (a) in subsection (1)—

**Changes to legislation:** *Housing (Scotland) Act 2001, Paragraph 13 is up to date with all changes known to be in force on or before 25 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. (See end of Document for details) View outstanding changes*

- (i) for the words from “44(2)” to “tenancies” substitute “ 11(1)(b) (Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) ”,
  - (ii) for “secure tenancy” substitute “ Scottish secure tenancy ”,
  - (b) in subsection (3), after “a” in the third place where it occurs insert “ Scottish ”.
- (40) In section 286 (interpretation of sections 281 to 285)—
- (a) in paragraph (a), for “Part III (secure tenancies)” substitute “ the Housing (Scotland) Act 2001 (asp 10) ”,
  - (b) in paragraph (c), after “a” in the first and third places where it occurs insert “ Scottish ”.
- (41) In section 338(1) (interpretation)—
- (a) after the definition of “registered housing association” insert—  
““registered social landlord” has the same meaning as in the Housing (Scotland) Act 2001 (asp 10);”,
  - (b) after the definition of “road” insert—  
““Scottish secure tenancy” and “short Scottish secure tenancy” have the same meanings as in the Housing (Scotland) Act 2001 (asp 10);”,
  - <sup>F4</sup>(c) .....
- (42) Schedules 2 to 5, 6A and 18 are repealed.

#### Textual Amendments

- F1** Sch. 10 para. 13(3)(c)(ii) repealed (20.11.2014) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), s. 104(3), **sch. 2 para. 10(5)(a)**; S.S.I. 2014/264, art. 2, sch.
- F2** Sch. 10 para. 13(6)-(20) repealed (1.8.2016) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), s. 104(3), **sch. 2 para. 10(5)(b)**; S.S.I. 2014/264, art. 2, sch. (with art. 4)
- F3** Sch. 10 para. 13(23)-(35) repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), **sch. 7** (with s. 193); S.S.I. 2009/122, art. 3
- F4** Sch. 10 para. 13(41)(c) repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), **sch. 7** (with s. 193); S.S.I. 2009/122, art. 3

#### Commencement Information

- I1** Sch. 10 para. 13 partly in force; Sch, 10 para. 13 not in force at Royal Assent, see s. 113(1)(2); para. 13(24)(35) in force at 1.11.2001 by [S.S.I. 2001/336](#), art. 2(3), **Sch. Pt. I** (subject to transitional provisions in art. 3) (as amended by [S.S.I. 2001/397](#), art. 7(b)); para. 13(2)(17)(42) in force for specified purposes at 19.12.2001 by [S.S.I. 2001/467](#), art. 2(2), **Sch.** (subject to transitional provisions in art. 3); para. 13(3) in force at 1.4.2002 by [S.S.I. 2002/168](#), art. 2, **Sch** (subject to transitional provisions and savings in art. 3); para. 13(5)-(22) and para. 13(36)-(41)(b) wholly in force and para. 13(42) in force for specified purposes at 30.9.2002 by [S.S.I. 2002/321](#), art. 2, **Sch.** (subject to transitional provisions and savings in arts. 3-5); para. 13(4) in force at 30.9.2002 by [S.S.I. 2002/433](#), art. 2, **Sch.**
- I2** Sch. 10 para. 13(23) (25)-(34) (41)(c) in force at 1.10.2003 by [S.S.I. 2003/434](#), art. 2, **sch.** (with arts. 3, 4)
- I3** Sch. 10 para. 13(42) in force at 1.10.2003 in so far as not already in force by [S.S.I. 2003/434](#), art. 2, **sch.** (with arts. 3, 4)

**Changes to legislation:**

Housing (Scotland) Act 2001, Paragraph 13 is up to date with all changes known to be in force on or before 25 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 :**

- sch. 10 para. 13(36)-(40) repealed by [2014 asp 14 sch. 2 para. 10\(5\)\(c\)](#)

**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)