



Housing (Scotland) Act 2001

2001 asp 10

PART 3

REGULATION OF SOCIAL LANDLORDS

CHAPTER 3

COMMON PROVISIONS

Guidance

79 Issue of guidance by the Scottish Ministers

- (1) The Scottish Ministers may issue guidance with respect to the provision of housing accommodation and related services by local authorities and registered social landlords.
- (2) Guidance under this section may, in particular, be issued with respect to—
 - (a) the housing needs for which provision should be made and the means of meeting those needs,
 - (b) the prevention and alleviation of homelessness,
 - (c) the provision and management of sites for persons of nomadic habit of life, whatever their race or origin,
 - (d) the acquisition and disposal of housing accommodation,
 - (e) the allocation of housing accommodation,
 - (f) the terms of tenancies and the principles upon which levels of rent should be determined,
 - (g) standards of maintenance and repair and the means of achieving those standards,
 - (h) the prevention of anti-social behaviour and conduct, and conduct amounting to harassment, by tenants and other persons whose actions and conduct are the subject of paragraph 7 of schedule 2 (“anti-social”, “conduct” and “harassment” having the meanings given in sub-paragraph (2) of that paragraph),

Status: This is the original version (as it was originally enacted).

- (i) the provision of services for owners and occupiers of houses,
 - (j) consultation and communication with tenants and bodies representing tenants,
 - (k) the participation of tenants and bodies representing tenants in the formulation of proposals concerning housing accommodation and related services,
 - (l) procedures for dealing with disputes between tenants and local authorities or registered social landlords,
 - (m) standards of governance and financial accountability.
- (3) The power to issue guidance under this section does not include power to issue guidance in respect of the functions conferred on local authorities by Part XIII (improvement and repairs grants) of the 1987 Act.
- (4) Before issuing any guidance under this section the Scottish Ministers must consult such persons as they think fit.
- (5) The Scottish Ministers must issue the guidance in such manner as they consider appropriate for bringing it to the notice of the local authorities or, as the case may be, the registered social landlords concerned.
- (6) Guidance under this section may make different provision in relation to different cases and, in particular, in relation to different areas, different descriptions of housing accommodation and different descriptions of local authority or registered social landlord.
- (7) In considering whether action needs to be taken to secure the proper management of the provision of housing accommodation and related services by a local authority or a registered social landlord or whether there has been mismanagement, the Scottish Ministers may have regard (among other matters) to the extent to which any guidance under Part 1 of this Act, section 37 (guidance on homelessness) of the 1987 Act or this section is being or has been followed.