



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 8

HOUSING: REGISTRATION OF CERTAIN LANDLORDS

Interpretation

101 Interpretation of Part 8

(1) In this Part—

“house” means, subject to subsection (2), a building or part of a building occupied or intended to be occupied as a dwelling;

“landlord”, in relation to an occupancy arrangement, means the person who under the arrangement permits another to occupy the building or, as the case may be, the part of the building;

“occupancy arrangement” means any arrangement under which a person having the lawful right to occupy a house permits another, by way of contract or otherwise, to occupy the house or, as the case may be, part of it; but does not include a lease;

“registered”, in relation to a relevant person and a local authority, means entered by virtue of section 84(2)(a) in the register maintained by the authority under section 82(1); and cognate expressions shall be construed accordingly;

“relevant person” has the meaning given by section 83(8);

“unconnected person” has the meaning given by section 83(8); and

“use as a dwelling” shall be construed in accordance with section 83(6).

(2) If two or more dwellings within a building share the same toilet, washing or cooking facilities, then those dwellings shall be deemed to be a single house for the purposes of this Part.

(3) For the purposes of this Part, any reference to a person’s being a member of another’s family shall be construed in accordance with section 108(1) and (2) of the Housing (Scotland) Act 2001 (asp 10).

Status: This is the original version (as it was originally enacted).

- (4) For the purposes of this Part, a person engages in antisocial behaviour if the person—
- (a) acts in a manner that causes or is likely to cause alarm, distress, nuisance or annoyance; or
 - (b) pursues a course of conduct that causes or is likely to cause alarm, distress, nuisance or annoyance,
- to a person residing in, visiting or otherwise engaging in lawful activity at, or in the locality of, a house; and “antisocial behaviour” shall be construed accordingly.