



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 3

#### PROVISION OF INFORMATION ON SALE OF HOUSE

##### *Prescribed documents*

#### **104 Information to be held or provided to potential buyers**

- (1) The Scottish Ministers may by regulations—
  - (a) prescribe documents for the purposes of section 98, 99(1) or 101(2), and
  - (b) make such further provision about those documents as they think fit.
- (2) A document may be prescribed under subsection (1) only if the Scottish Ministers consider that it discloses information about—
  - (a) the physical condition of a house (including any characteristics or features of the house),
  - (b) the value of a house, or
  - (c) any other matter connected with a house, or the sale of a house, that would be of interest to potential buyers.
- (3) Regulations under subsection (1) may, in particular, make provision—
  - (a) about the form of, and the information to be included in, or excluded from, a prescribed document,
  - (b) requiring that a prescribed document be prepared by a person of a description specified in the regulations,
  - (c) requiring that the date to which information in a prescribed document relates is no earlier than the beginning of such period as the regulations may specify before the date on which the house was put on the market,
  - (d) requiring that a prescribed document is to be valid for such period of time, or is to be invalidated in such circumstances, as the regulations may specify.
- (4) Regulations under subsection (1) may also make provision for and in connection with the registration of prescribed documents and may, in particular, make provision—

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*Status: This is the original version (as it was originally enacted).*

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- (a) for a register of prescribed documents to be kept by the Scottish Ministers or such other person as the regulations may specify (or for the keeping of 2 or more such registers),
- (b) authorising the Scottish Ministers to make payments or to give other assistance in connection with the creation, administration or operation of such a register,
- (c) requiring persons of such type as may be so specified to register prescribed documents in such circumstances as may be so specified,
- (d) about the circumstances and manner in which, and the purposes for which, information contained in such a register may be inspected, copied or otherwise obtained,
- (e) setting the amount, or the maximum amount, of any fee which may be charged in connection with registering documents or with inspecting or obtaining information contained in such a register,
- (f) for enforcement by enforcement authorities of any requirement to register prescribed documents.