



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 16

#### MISCELLANEOUS

#### 158 **Housing support: persons found to be homeless or threatened with homelessness**

After section 32A of the Housing (Scotland) Act 1987 (c.26) insert—

#### **“32B Housing support: persons found to be homeless or threatened with homelessness**

- (1) Subsection (2) applies where a local authority—
  - (a) are subject to the duty under section 31(2) or 32(2) in relation to an applicant; and
  - (b) have reason to believe that the applicant may be in need of prescribed housing support services.
- (2) The local authority must assess whether the applicant, and any other person residing with the applicant, needs prescribed housing support services.
- (3) In carrying out such an assessment the local authority must—
  - (a) conduct inquiries of such type as may be prescribed; and
  - (b) have regard to any prescribed matters.
- (4) Following such an assessment, the local authority must ensure that prescribed housing support services are provided to any person assessed as being in need of them.
- (5) The Scottish Ministers may by regulations made by statutory instrument make further provision about the provision of prescribed housing support services in pursuance of subsection (4) and may, in particular, specify—
  - (a) the period for which services are to be provided;
  - (b) matters to which a local authority are to have regard when ensuring provision of services.

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*Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Section 158. (See end of Document for details)*

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- (6) Regulations made under this section may make different provision for different purposes and different areas.
- (7) Before making any regulations under this section, the Scottish Ministers must consult—
- (a) such bodies representing local authorities;
  - (b) such bodies representing the interests of homeless persons; and
  - (c) such other persons,
- as they think fit.
- (8) Regulations under this section may be made only if a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, the Scottish Parliament.
- (9) In this section, “housing support services” includes any service which provides support, assistance, advice or counselling to an individual with particular needs with a view to enabling that individual to occupy, or to continue to occupy, residential accommodation as the individual's sole or main residence.”.

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#### **Commencement Information**

**I1** S. 158 in force at 7.10.2011 for specified purposes by [S.S.I. 2011/339](#), **art. 2**

**I2** S. 158 in force at 1.6.2013 in so far as not already in force by [S.S.I. 2012/283](#), **art. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Section 158.