

**Changes to legislation:** There are currently no known outstanding effects for the Private Rented Housing (Scotland) Act 2011, Cross Heading: Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8). (See end of Document for details)

## SCHEDULE MINOR AND CONSEQUENTIAL MODIFICATIONS

### *Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)*

1 The 2004 Act is amended as follows.

#### Commencement Information

**I1** Sch. para. 1 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 2 In section 84 (registration)—
- (a) in subsection (2), after “Where” insert “ (subject to subsections (7) and (8)) ”,
  - (b) after subsection (6) add—
    - “(7) The local authority may refuse to enter a person in the register maintained by the authority under section 82(1) if the person fails to comply with the duty, if applicable, imposed by section 92B(3).
    - (8) The local authority must refuse to enter a person in the register maintained by the authority under section 82(1) if the person is disqualified by an order made under section 93A(2).”.

#### Commencement Information

**I2** Sch. para. 2 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 3 In section 86 (notification of registration or refusal to register)—
- (a) in subsection (1)(b), after “section” insert “ or subsection (7) or (8) of section 84 ”,
  - (b) in subsection (2), after “84(2)(b),” insert “ (7) or (8), ”.

#### Commencement Information

**I3** Sch. para. 3 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 4 In section 89 (removal from register), after subsection (3) add—
- “(4) Where a registered person, without reasonable excuse, fails to comply with the duty imposed by section 92B(1) the authority may remove the person from the register.
  - (5) Where—
    - (a) a person is registered by a local authority; and
    - (b) the person is disqualified from being registered by virtue of an order under section 93A(2),the authority shall remove the person from its register.”.

#### Commencement Information

**I4** Sch. para. 4 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

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- 5 In section 90(1) (notification of removal from register: registered person), after “89(1)” insert “, (4) or (5)”.

**Commencement Information**

**I5** Sch. para. 5 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 6 In section 91(1) (notification of removal from register: other persons), after “89(1)” insert “, (4) or (5)”.

**Commencement Information**

**I6** Sch. para. 6 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 7 In section 92(1) (appeal against refusal to register or removal from register)—  
 (a) in paragraph (a), after “84(2)(b)” insert “, (7) or (8)”,  
 (b) in paragraph (b), after “89(1)” insert “ or (4)”.

**Commencement Information**

**I7** Sch. para. 7 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

- 8 In section 93(5) (offences), after paragraph (aa) insert—  
 “(aaa) the relevant person is not disqualified from being registered by virtue of an order under section 93A(2);”.

**Commencement Information**

**I8** Sch. para. 8 in force at 1.4.2013 by S.S.I. 2013/82, art. 2(1), Sch.

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