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**Changes to legislation:** Housing (Scotland) Act 1987, SCHEDULE 1 is up to date with all changes known to be in force on or before 19 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 1

Section 10(4).

#### RULES AS TO ASSESSMENT OF COMPENSATION WHERE LAND PURCHASED COMPULSORILY IN CERTAIN CIRCUMSTANCES

- 1 —If the Lands Tribunal are satisfied that the rent of any premises was enhanced by reason of their being used for illegal purposes, the compensation shall, so far as it is based on rental, be based on the rental which would have been obtainable if the premises were occupied for legal purposes.
- 2 —If the Lands Tribunal are satisfied that the rent of any premises was higher than that generally obtained at the time for similar premises in the locality and that such enhanced rent was obtained by reason of the premises being overcrowded within the meaning of Part VII, the compensation shall, so far as it is based on rent, be based on the rent so generally obtained.
- 3.— The local authority may tender evidence as to the matters mentioned in paragraphs 1 or 2 although they have not taken any steps to remedy them.
- 4 —The Lands Tribunal shall (except as provided in section 15(1) of the Land Compensation (Scotland) Act 1963) have regard to, and make an allowance in respect of, any increased value which, in their opinion, will be given to other premises of the same owner by the demolition by the local authority of any buildings.
- 5 —The Lands Tribunal shall embody in their award a statement showing separately whether compensation has been reduced by reference to the use of the premises for illegal purposes, to overcrowding, and to the considerations mentioned in paragraph 4 of this Schedule, and the amount (if any) by which compensation has been reduced by reference to each of those matters.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)