

**Changes to legislation:** Housing (Scotland) Act 1987, SCHEDULE 6 is up to date with all changes known to be in force on or before 26 July 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

## SCHEDULES

### SCHEDULE 6

Section 77(3).

#### VESTING ORDER UNDER SECTION 77: MODIFICATION OF ENACTMENTS

*[<sup>F1</sup>The Town and Country Planning (Scotland) Act 1997 (c. 8)]*

##### Textual Amendments

**F1** Sch. 6 heading substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), Sch. 2 para. 40(4)(a)

- 1 —Paragraphs 1(2), 6 to 13 and 16 to 39 of [<sup>F2</sup>Schedule 15] only shall apply and in them any reference to a general vesting declaration shall be treated as a reference to an order under section 77.

##### Textual Amendments

**F2** Words in Sch. 6 para. 1 substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), Sch. 2 para. 40(4)(b)

- 2 —The references in paragraphs 6, 7 and 37 of that Schedule to the end of the period specified in a general vesting declaration shall be treated as references to the date on which such an order comes into force and the reference in paragraph 9 thereof to the acquiring authority having made a general vesting declaration shall be treated as a reference to such order having come into force.
- 3 —In paragraph 6 of that Schedule—
- (a) the reference to every person on whom, under section 17 of the Lands Clauses Consolidation (Scotland) Act 1845, the acquiring authority could have served a notice to treat, shall be treated as a reference to every person whose interest in the land to which such order relates is vested by the order in the landlord; and
  - (b) sub-paragraph (a) shall be omitted.
- 4 —The reference in paragraph 20(2) of that Schedule to the date on which the notice required by paragraph 4 thereof is served on any person shall be treated as a reference to the date on which such an order comes into force.
- 5 —In paragraph 29 of that Schedule—
- (a) sub-paragraph (1)(a) shall be omitted; and
  - (b) the reference in sub-paragraph (1)(b) to the date on which a person first had knowledge of the execution of the general vesting declaration shall be treated as a reference to the date on which such order came into force.

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*The Land Compensation (Scotland) Act 1963 (c.51)*

- 6 —Any reference to the date of service of a notice to treat shall be treated as a reference to the date on which an order under section 77 comes into force.
- 7 —Section 25(2) shall be treated as if for the words “the authority proposing to acquire it have served a notice to treat in respect thereof, or an agreement has been made for the sale thereof to that authority” there were substituted the words “an order under section 77 of the Housing (Scotland) Act 1987 vesting the land in which the interest subsists in the landlord has come into force, or an agreement has been made for the sale of the interest to the landlord”.
- 8 —In section 30—
- (a) subsection (2) shall be treated as if at the end of paragraph (c) there were added the words—
- “; or—
- (d) where an order has been made under section 77 of the Housing (Scotland) Act 1987 vesting the land in which the interest subsists in the landlord.”; and
- (b) subsection (3) shall be treated as if in paragraph (a) the words “ “or (d)” ” were inserted after the words “subsection (2)(b)”.
- 9 —Any reference to a notice to treat in section 45(2) shall be treated as a reference to an order under the said section 77.
- 10 —In Schedule 2, paragraph 2(1)(a) shall be treated as if the words “or the coming into force of an order under section 77 of the Housing (Scotland) Act 1987 for the vesting of the land in the landlord” were inserted after the word “land”.

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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\(40\)\(a\)\(b\)](#)