



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART XVI

#### GENERAL AND MISCELLANEOUS

##### *Byelaws*

#### **313 Byelaws with respect to houses in multiple occupation.**

- (1) The power of making and enforcing byelaws under section 72 of the <sup>M1</sup>Public Health (Scotland) Act 1897 with respect to houses or parts of houses which are let in lodgings or occupied by members of more than one family shall extend to the making and enforcing of byelaws imposing any duty (being a duty which may be imposed by the byelaws and which involves the execution of work) on the owner within the meaning of that Act of the said house, in addition to or in substitution for any other person having an interest in the premises, and prescribing the circumstances and conditions in and subject to which any such duty is to be discharged.
- (2) For the purpose of discharging any duty so imposed, the owner or other person may at all reasonable times enter upon any part of the premises.
- (3) Where an owner or other person has failed to carry out any work which he has been required to carry out under the byelaws, the local authority may, after giving to him not less than 21 days' notice in writing, themselves carry out the works and recover the costs and expenses.

<sup>F1</sup>(4) .....

- (5) In this section “owner”, in relation to a house mentioned in subsection (1), means the person entitled to receive, or who would if the premises were let, be entitled to receive the rents of the premises, and includes a trustee, factor, tutor, or curator, and in the case of public or municipal property applies to the persons to whom the management is entrusted.

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**Changes to legislation:** *Housing (Scotland) Act 1987, Section 313 is up to date with all changes known to be in force on or before 15 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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**Textual Amendments**

**F1** S. 313(4) repealed (1.4.2010) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), s. 195(3), [sch. 7](#) (with s. 193); [S.S.I. 2009/122](#), art. 3

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**Marginal Citations**

**M1** 1897 c. 38.

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**Changes and effects yet to be applied to :**

- s. 313(3) words substituted by [2006 asp 1 Sch. 6 para. 13](#)

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