



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART III

RIGHTS OF PUBLIC SECTOR TENANTS

Powers of Secretary of State

78 Secretary of State may give directions to modify conditions of sale

- (1) Where it appears to the Secretary of State that the inclusion of conditions of a particular kind in offers to sell would be unreasonable he may by direction require landlords generally, landlords of a particular description, or particular landlords not to include conditions of that kind (or not to include conditions of that kind unless modified in such manner as may be specified in the direction) in offers to sell served on or after a date so specified.
- (2) Where a condition's inclusion in an offer to sell—
 - (a) is in contravention of a direction under subsection (1) or
 - (b) in a case where the tenant has not by the date specified in such a direction served a relative notice of acceptance on the landlord, would have been in such contravention had the offer to sell been served on or after that date,the condition shall have no effect as regards the offer to sell.
- (3) A direction under subsection (1) may—
 - (a) make different provision in relation to different areas, cases or classes of case and may exclude certain areas, cases or classes of case; and
 - (b) be varied or withdrawn by a subsequent direction so given.
- (4) Section 211 of the Local Government (Scotland) Act 1973 (provision for default of local authority) shall apply as regards a failure to comply with a requirement in a direction under subsection (1) as that section applies as regards such failure as is mentioned in subsection (1) thereof.