



Housing (Scotland) Act 1988

CHAPTER 43

HOUSING (SCOTLAND) ACT 1988

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SCHEDULES

SCHEDULE 1 — Scottish Homes

Incorporation

- 1 Scottish Homes shall be a body corporate and shall have...

Status

- 2 Scottish Homes shall be a public body for the purposes...
3 It shall not— (a) be regarded as a servant or...

Membership

- 4 (1) The members of Scottish Homes shall be—
5 (1) The members of Scottish Homes (other than the chief...

Chairman and Deputy Chairmen

- 6 (1) The Secretary of State shall appoint one of the...

Remuneration, Allowances and Pensions

- 7 (1) The Secretary of State may pay the chairman, a...
8 The Secretary of State may, with the consent of the...

Staff

- 9 The Secretary of State shall, after consultation with the chairman...
10 (1) Subject to paragraph 11 below, Scottish Homes may appoint...
11 (1) Scottish Homes shall, not later than such date as...
12 (1) Where a person becomes an employee of Scottish Homes...
13 (1) Any dispute as to whether an offer under sub-paragraph...

Proceedings

- 14 The quorum of Scottish Homes and the arrangements for its...
15 (1) A member who is directly or indirectly interested in...
16 The validity of any proceedings of Scottish Homes shall not...

Committees

- 17 (1) For and in connection with the discharge of its...

Execution of Documents

- 18 A document is validly executed by Scottish Homes if it...
19 A document shall be presumed, unless the contrary is shown,...

SCHEDULE 2 — Amendments Consequential on Establishing of Scottish Homes
and Abolition of SSHA*General*

- 1 Subject to the following provisions of this Schedule, for any...

Parliamentary Commissioner Act 1967 c. 13.

- 2 In Schedule 2 (departments and authorities subject to investigation)—

House of Commons Disqualification Act 1975 c. 24.

- 3 In Schedule 1 (offices disqualifying for membership)—

Local Government (Scotland) Act 1975 c. 30.

- 4 In section 23(1) (authorities subject to investigation by Commissioner for...)

Rent (Scotland) Act 1984 c. 58.

- 5 In section 61(1) (interpretation), in the definition of “housing association”,...

Housing Associations Act 1985 c. 69.

- 6 In section 1(1) (meaning of “housing association” etc.) at the...

Housing (Scotland) Act 1987 c. 26.

- 7 In section 21(3) (publication of rules relating to the housing...
8 For section 23 (compulsory purchase of land by SSHA) there...
9 In section 61 (secure tenant’s right to purchase)—
10 In section 194 (grants payable to SSHA and development corporations)
—...
11 Section 196 (advances to SSHA for provision or improvement of...
12 In section 202(7) (power of Secretary of State to reduce...
13 In section 216(1) (house loans to tenants exercising right to...
14 In section 276 (repurchase by authority other than local authority)...
15 In Schedule 12 (termination of exchequer payments) in paragraph 2,...

Local Government Act 1988 c. 9.

- 16 In section 1(1)— (a) after paragraph (j) there shall be...
17 In Schedule 2, the words “The Scottish Special Housing Association”...

SCHEDULE 3 — Scottish Homes: Amendments of Housing Associations Act 1985

- 1 (1) For subsection (1) of section 3 there shall be...
2 For subsection (1) of section 4 there shall be substituted...
3 (1) In subsection (1) of section 5—
4 (1) In subsection (2) of section 6 for the words...
5 (1) In subsection (1) of section 7 for the words...
6 (1) In subsection (1) of section 9 for the words...
7 In section 10(1) for the words from “the Charity Commissioners”,...
8 In section 13(3) for the words “the Housing Corporation” there...
9 (1) In subsection (1) of section 14 for the words...
10 In section 15— (a) in subsection (2) at the end...
11 In section 15A— (a) in subsection (3), for the words...
12 (1) In subsection (1) of section 16 for the words...
13 In section 17 for the words “The Housing Corporation” there...
14 (1) In subsection (2) of section 19 for the words...
15 (1) In subsections (2) and (5) of section 21 for...

Status: This is the original version (as it was originally enacted).

- 16 In section 22(1) for the words “The Housing Corporation” there...
- 17 (1) In subsection (1) of section 23 for the words...
- 18 In sections 24(4) and 27(2) for the words “the Housing...
- 19 (1) In subsection (1) of section 28 for the words...
- 20 In section 29 for the words “the Housing Corporation” there...
- 21 (1) In subsection (1) of section 30 for the words...
- 22 (1) In subsections (1) and (2) of section 32 for...
- 23 In section 40, in the entry relating to “register” and...
- 24 In paragraph 1 of Schedule 2 for the words “the...

SCHEDULE 4 — Tenancies which cannot be Assured Tenancies

Tenancies entered into before commencement

- 1 A tenancy which is entered into before, or pursuant to...

Tenancies at a low rent

- 2 (1) A tenancy under which, at any time after this...

Tenancies of shops

- 3 A tenancy to which the Tenancy of Shops (Scotland) Act...

Licensed premises

- 4 A tenancy under which the house consists of or comprises...

Tenancies of agricultural land

- 5 (1) A tenancy under which agricultural land, exceeding two acres,...

Tenancies of agricultural holdings

- 6 A tenancy under which the house— (a) is comprised in...

Lettings to students

- 7 (1) A tenancy which is granted to a person who...

Holiday lettings

- 8 A tenancy the purpose of which is to confer on...

Resident landlords

- 9 (1) A tenancy in respect of which the following conditions...

Crown tenancies

- 10 A tenancy under which the interest of the landlord belongs...

Local authority and other tenancies

- 11 A tenancy under which the interest of the landlord belongs...

Shared ownership agreements

- 12 A tenancy under a shared ownership agreement within the meaning...

Transitional cases

13 (1) A protected tenancy within the meaning of the Rent...

SCHEDULE 5 — Grounds for Possession of Houses let on Assured Tenancies

Part I — GROUNDS ON WHICH SHERIFF MUST ORDER POSSESSION

Ground 1

Ground 2

Ground 3

Ground 4

Ground 5

Ground 6

Ground 7

Ground 8

Part II — GROUNDS ON WHICH SHERIFF MAY ORDER POSSESSION

Ground 9

Ground 10

Ground 11

Ground 12

Ground 13

Ground 14

Ground 15

Ground 16

Ground 17

Part III — SUITABLE ALTERNATIVE ACCOMMODATION

- 1 For the purposes of Ground 9 above, a certificate of...
- 2 Where no such certificate as is mentioned in paragraph 1...
- 3 (1) For the purposes of paragraph 2 above, the relevant...
- 4 Accommodation shall not be deemed to be suitable to the...
- 5 Any document purporting to be a certificate of a local...
- 6 Local authorities, development corporations and Scottish Homes may,
for the...
- 7 In this Part of this Schedule “local authority” means an...

Part IV — NOTICES RELATING TO RECOVERY OF POSSESSION

- 8 (1) If, not later than the beginning of a tenancy...

Status: This is the original version (as it was originally enacted).

- 9 Where paragraph 8(1) above has effect in relation to a...
- 10 Where paragraph 8(1) above has effect in relation to a...

SCHEDULE 6 — Statutory or Statutory Assured Tenants by Succession
Part I — NEW SCHEDULES 1A AND 1B TO RENT (SCOTLAND) ACT 1984

- 1 After Schedule 1 to the Rent (Scotland) Act 1984 there...
Part II — STATUTORY ASSURED TENANTS BY SUCCESSION—
MODIFICATION OF ENACTMENTS
- 2 In relation to the assured tenancy to which the person...
- 3 (1) In relation to the assured tenancy to which the...

SCHEDULE 7 — Housing (Scotland) Act 1987—Amendments connected with
Consolidation

- 1 In section 22 (agreements for exercise by housing co-operatives of...
- 2 In section 61 (secure tenant's right to purchase) in subsection...
- 3 In section 114 (closing order) in subsection (5) after the...
- 4 In section 129 (appeals) in subsection (1) for “, (3)...
- 5 In section 139 (penalty for causing or permitting overcrowding) in...
- 6 In section 151 (interpretation of Part VII) in subsection (2)...
- 7 In section 173 (warrant to authorise entry) in subsection (5)(a)...
- 8 In section 179 (general effect of control order) in subsection...
- 9 In section 200 (slum clearance subsidy) in subsection (2) for...
- 10 In section 240 (conditions for approval of applications for
improvement...
- 11 In section 242 (amount of improvement grant) in subsection (6)...
- 12 In section 243 (payment of improvement grant) in subsection (1)(b)...
- 13 In section 244 (duty of local authorities to make improvement...
- 14 In section 248 (repairs grants)— (a) in subsection (5)—
- 15 In section 249 (grants for fire escapes) in subsection (6)—...
- 16 In section 250 (repairs grants in housing action areas), in...
- 17 In section 254 (exchequer contributions towards certain grants) in
each...
- 18 In section 255 (exchequer contributions in respect of amenities) in...
- 19 In section 268 (notice of determination) in subsection (4) for...
- 20 In section 276 (repurchase by authority other than local authority),...
- 21 In section 281 (effect of repurchase on certain existing tenancies)...
- 22 In section 282 (grant of tenancy to former owner-occupier) in...
- 23 In section 283 (grant of tenancy to former statutory tenant)...
- 24 In section 285 (request for tenancy under sections 282 or...
- 25 In section 296 (contributions by Secretary of State) in subsection...
- 26 In section 299 (jurisdiction of sheriff) in subsection (2)(b) for...
- 27 In section 338 (interpretation) in the definition of “standard amenities”...
- 28 In Schedule 7 (application of enactments) in paragraph 13—
- 29 In Schedule 20 (assistance by way of repurchase) in paragraph...
- 30 In Schedule 24 (repeals) in the entry relating to the...

SCHEDULE 8 — Housing (Scotland) Act 1987— Minor Amendments

- 1 In section 61 (secure tenant's right to purchase) after subsection...
- 2 In section 62 (price of house being purchased by secure...
- 3 In section 151 (interpretation of Part VII) in the definition...
- 4 In section 191 (housing support grants: fixing of aggregate amount)...
- 5 In section 192 (apportionment of housing support grants) in
subsection...

- 6 In section 248 (repairs grants)— (a) in subsection (5) for...
- 7 In section 249 (grants for fire escapes)—
- 8 In section 255 (exchequer contributions in respect of amenities) in...
- 9 In Schedule 10 (landlord’s repairing obligations)— (a) for paragraph 1(1)...
- 10 In Schedule 15 (housing revenue account) in paragraph 9(2) for...

SCHEDULE 9 — Consequential Amendments

Land Compensation (Scotland) Act 1973 c. 56.

- 1 In section 27(4) (right to home loss payment) after paragraph...

Local Government, Planning and Land Act 1980 c. 65.

- 2 In Schedule 28, in paragraph 10 (urban development corporations, displacement...

Matrimonial Homes (Family Protection) (Scotland) Act 1981 c. 59.

- 3 In section 22 (interpretation) in the definition of “tenant” for...

Rent (Scotland) Act 1984 c. 58.

- 4 In section 103 (application to sheriff)— (a) in subsection (1)...
- 5 In Schedule 1 (statutory tenants by succession) in paragraph 2...

Housing Associations Act 1985 c. 69.

- 6 In section 10(2)— (a) in paragraph (b) for the words...
- 7 In section 15A(1) (a) (i) (permitted payments by community based...
- 8 In section 39, in the definition of “secure tenancy” for...
- 9 In section 106(2) for the definition of “shared ownership agreement”...

Housing (Scotland) Act 1987 c. 26.

- 10 In section 55 (no subletting by secure tenant without landlord’s...
- 11 In section 64(7) (circumstances where prohibition of landlord’s option to...
- 12 In section 103 (certain provisions of Rent (Scotland) Act 1984...
- 13 In section 128 (recovery of possession of house to which...
- 14 In section 145 (recovery of possession of overcrowded house that...
- 15 In section 177 (statutory tenant to be regarded as lessee...
- 16 In section 180 (effect of control order), in subsection (4)—...
- 17 In section 207 (local authority’s duty to keep slum clearance...
- 18 In section 311 (interpretation of sections 308 to 310), in...
- 19 In section 328 (duty to inform tenant of assignation of...
- 20 In section 338 (interpretation), in subsection (1) in the definition...
- 21 In Part II of Schedule 3 (suitability of accommodation), in...

SCHEDULE 10 — Repeals