



# Housing (Scotland) Act 1988

## 1988 CHAPTER 43

### PART I

#### SCOTTISH HOMES

##### *Establishment and functions*

#### 1 Scottish Homes.

<sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

(3) [<sup>F2</sup>the Scottish Ministers] shall have the general functions of—

(a) providing, and assisting in the provision of, finance to persons or bodies intending to provide, improve, repair, maintain or manage housing;

<sup>F3</sup>(b) .....

(c) promoting owner-occupation (especially by those seeking to purchase for the first time), the wider ownership of housing by its occupants and a greater choice of tenancy arrangements;

(d) promoting the provision and improvement of housing and the improvement of management of housing (whether by its occupants or otherwise);

(e) promoting and assisting the development of [<sup>F4</sup>social landlords], <sup>F5</sup>... ;

(f) undertaking, and assisting the undertaking of, the development, redevelopment and improvement of the physical, social, economic and recreational environment related to housing;

<sup>F6</sup>(g) .....

#### Textual Amendments

**F1** S. 1(1)(2) repealed (1.11.2001) by [2001 asp 10, s. 112, Sch. 10 para. 14\(2\)\(a\)](#); S.S.I. 2001/397, 2(2), Sch. Table (subject to transitional provisions in arts. 3-6)

*Changes to legislation: Housing (Scotland) Act 1988, Cross Heading: Establishment and functions is up to date with all changes known to be in force on or before 01 March 2024. 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*

- F2** Words in s. 1(3) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(2)(b)(i)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F3** S. 1(3)(b) repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(2)(b)(ii)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in art. 3-6)
- F4** Words in s. 1(3)(e) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(2)(b)(iii)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F5** Words in s. 1(3)(e) repealed (1.4.2012) by Housing (Scotland) Act 2010 (asp 17), s. 166(2), **Sch. 2 para. 4(2)**; S.S.I. 2012/39, art. 2, **Sch. 1** (with **Sch. 2**) (as amended (1.4.2012) by S.S.I. 2012/91, art. 4)
- F6** S. 1(3)(g) repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(2)(b)(iv)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)

## 2 General functions of Scottish Homes.

<sup>F7</sup>(1) .....

(2) [<sup>F8</sup>For the purposes of the exercise of their general functions under section 1(3), the Scottish Ministers, so far as they do not otherwise have power to do so,] may—

- (a) make grants;
- (b) make loans;
- (c) acquire, hold and dispose of securities;
- (d) guarantee obligations (arising out of loans or otherwise) incurred by other persons, or grant indemnities;
- (e) provide or assist in the provision of advisory or other services or facilities for any person;
- (f) acquire land by agreement or gift;
- (g) acquire land (including servitudes or other rights in or over land by the creation of new rights) compulsorily;
- (h) hold and manage land and dispose of, or otherwise deal with, land held by [<sup>F9</sup>them];
- (j) acquire and dispose of plant, machinery, equipment and other property;
- (k) develop land or carry out works on land, and maintain or assist in the maintenance of any such works;
- (l) make land, plant, machinery, equipment and other property available for use by other persons;
- (m) appoint other persons to act as [<sup>F10</sup>their] agents;
- (n) act as agents for other persons;
- (o) form companies [<sup>F11</sup>under the Companies Act 2006];
- (p) form partnerships with other persons;
- (q) promote, provide or assist in the provision of, training in matters relating to housing;
- (r) carry out, commission or assist in the provision of, research and development;
- (s) promote, or assist in the promotion of, publicity relating to [<sup>F12</sup>their general functions under section 1(3)] and to matters relating to housing;
- (t) make such charge as [<sup>F13</sup>they think] fit for any of [<sup>F10</sup>their] services;
- (u) accept any gift or grant made to [<sup>F14</sup>them] for the purposes of any of [<sup>F12</sup>their general functions under section 1(3)] and, subject to the terms of the gift or grant and to the provisions of this Act, apply it for those purposes;
- (v) turn [<sup>F15</sup>their] resources to account so far as they are not required for the exercise of any of [<sup>F12</sup>their general functions under section 1(3)].

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F16(3) .....  
F16(3A) .....  
F16(4) .....  
F16(5) .....  
F17(6) .....  
F16(7) .....  
F18(8) .....  
F18(9) .....  
F16(10) .....  
F19(11) .....

**Textual Amendments**

- F7 S. 2(1) repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(a)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F8 Words in s. 2(2) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(i)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F9 Word in s. 2(2)(h) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(ii)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F10 Words in s. 2(2)(m)(t) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(iii)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F11 Words in s. 2(2)(o) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 97** (with art. 10)
- F12 Words in s. 2(2)(s)(u)(v) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(iv)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in art. 3-6)
- F13 Words in s. 2(2)(t) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(v)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F14 Word in s. 2(2)(u) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(vi)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F15 Word in s. 2(2)(v) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(b)(vii)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F16 S. 2(3)-(5)(7)(10)(11) repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(c)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in arts. 3-6)
- F17 S. 2(6) repealed by Local Government and Housing Act 1989 (c. 42, SIF 61), ss. 179(d), 194(4), **Sch. 12 Pt. II**
- F18 S. 2(8)(9) 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
- F19 S. 2(11) repealed (2.4.2001) by 2000 c. 34, s. 9(2), **Sch. 3** (with s. 10(5)); S.I. 2001/566, art. 2(1); s. 2(11) expressed to be repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(3)(c)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions in art. 3-6)

F20 2A .....

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**Textual Amendments**

**F20** Ss. 2A-8, 10, 11 repealed (1.11.2001) by [2001 asp 10, s. 112](#), [Sch. 10 para. 14\(4\)](#); S.S.I. 2001/397, art. 2(2), [Sch.](#) Table (subject to transitional provisions in arts. 3-6)

**F21**<sup>3</sup> .....

**Textual Amendments**

**F21** Ss. 2A-8, 10, 11 repealed (1.11.2001) by [2001 asp 10, s. 112](#), [Sch. 10 para. 14\(4\)](#); S.S.I. 2001/397, art. 2(2), [Sch.](#) Table (subject to transitional provisions in arts. 3-6)

**F22**<sup>4</sup> .....

**Textual Amendments**

**F22** Ss. 2A-8, 10, 11 repealed (1.11.2001) by [2001 asp 10, s. 112](#), [Sch. 10 para. 14\(4\)](#); S.S.I. 2001/397, art. 2(2), [Sch.](#) Table (subject to transitional provisions in arts. 3-6)

**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. 66(1)(aa) and word inserted by [2001 asp 10 s. 50\(2\)\(c\)](#)
- s. 66(2A) inserted by [2001 asp 10 s. 50\(3\)](#)
- s. 66(5A) inserted by [2001 asp 10 s. 50\(4\)](#)
- sch. 17 para. 19-26 repealed by [2014 asp 14 sch. 2 para. 5\(4\)](#)