



Housing (Scotland) Act 1988

1988 CHAPTER 43

PART I

SCOTTISH HOMES

Establishment and functions

1 Scottish Homes.

^{F1}(1)

^{F1}(2)

(3) [^{F2}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;

^{F3}(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 [^{F4}social landlords], ^{F5}... ;

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

^{F6}(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F1 S. 1(1)(2) repealed (1.11.2001) by [2001 asp 10, s. 112, Sch. 10 para. 14\(2\)\(a\)](#); S.S.I. 2001/397, 2(2), Sch.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)

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- 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- F3** S. 1(3)(b) repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(2)(b)(ii)**; S.S.I. 2001/397, art. 2(2), **Sch.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- F5** Words in s. 1(3)(e) repealed (1.4.2012) by Housing (Scotland) Act 2010 (asp 17), s. 166(2), **Sch. 2 para. 4(2)**; S.S.I. 2012/39, art. 2, **Sch. 1** (with **Sch. 2**) (as amended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- F6** S. 1(3)(g) repealed (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(2)(b)(iv)**; S.S.I. 2001/397, art. 2(2), **Sch.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.

^{F7}(1)

(2) [^{F8}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 [^{F9}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 [^{F10}their] agents;
- (n) act as agents for other persons;
- (o) form companies [^{F11}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 [^{F12}their general functions under section 1(3)] and to matters relating to housing;
- (t) make such charge as [^{F13}they think] fit for any of [^{F10}their] services;
- (u) accept any gift or grant made to [^{F14}them] for the purposes of any of [^{F12}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 [^{F15}their] resources to account so far as they are not required for the exercise of any of [^{F12}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)

F213

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)

F224

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)

Finance and administration

F235

Textual Amendments

F23

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)

F246

Textual Amendments

F24

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)

F257

Textual Amendments

F25

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)

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F268

Textual Amendments

F26 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)

F279

Textual Amendments

F27 S. 9 repealed (1.4.2000) by 2000 asp 1, s. 8, Sch. 1 para. 3(3); S.S.I. 2000/10, art. 2

F2810

Textual Amendments

F28 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)

F2911

Textual Amendments

F29 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)

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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\(4\)](#)