

Changes to legislation: Housing (Scotland) Act 1988, SCHEDULE 2 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

SCHEDULES

SCHEDULE 2

Sections 1 and 3.

AMENDMENTS CONSEQUENTIAL ON ESTABLISHING
OF SCOTTISH HOMES AND ABOLITION OF SSHA

General

1 Subject to the following provisions of this Schedule, for any reference in any enactment, or in any instrument made under any enactment, to the Scottish Special Housing Association there shall be substituted a reference to Scottish Homes.

Parliamentary Commissioner Act 1967 c. 13.

2 In Schedule 2 (departments and authorities subject to investigation)—
(a) at the appropriate place there shall be inserted “Scottish Homes”; and
(b) after Note 8 there shall be inserted—
“8A In the case of Scottish Homes no investigation shall be conducted under this Act in respect of any of its actions as a landlord.”.

House of Commons Disqualification Act 1975 c. 24.

3 In Schedule 1 (offices disqualifying for membership)—
(a) in Part II after the entry relating to the Scottish Development Agency there shall be inserted “Scottish Homes”;
(b) in Part III the entry relating to the Chairman, Deputy Chairman or member of the Council of Management of the Scottish Special Housing Association appointed at a salary shall cease to have effect.

Local Government (Scotland) Act 1975 c. 30.

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Textual Amendments

F1 Sch. 2 para. 4 repealed (23.10.2002) by 2002 asp 11, s. 25, Sch. 6 para. 11; S.I. 2002/467, art. 2

Rent (Scotland) Act 1984 c. 58.

5 In section 61(1) (interpretation), in the definition of “housing association”, paragraph (a) shall cease to have effect.

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Housing Associations Act 1985 c. 69.

[^{F2}6 In section 1(1) (meaning of “housing association” etc.) at the end there shall be added—

“.

but does not include Scottish Homes.”.]

Textual Amendments

F2 Sch. 2 para. 6 repealed (S.) (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 14(11)**; S.S.I. 2001/336, art. 2(3), **Sch. Pt. II** Table (subject to transitional provisions in art. 3)

Housing (Scotland) Act 1987 c. 26.

^{F3}7

Textual Amendments

F3 Sch. 2 para. 7 repealed (20.11.2014) by *Housing (Scotland) Act 2014 (asp 14)*, s. 104(3), **Sch. 2 para. 5(3)**; S.S.I. 2014/264, art. 2, **Sch.**

8 For section 23 (compulsory purchase of land by SSHA) there shall be substituted—

“23 Improvement of amenities of residential area by development corporations.

A development corporation may for the purpose of securing the improvement of the amenities of a predominantly residential area within its designated area—

- (a) carry out any works on land owned by it;
- (b) with the agreement of the owner of any land, carry out or arrange for the carrying out of works on that land at his or its expense or in part at the expense of both;
- (c) assist (whether by grants or loans or otherwise) in the carrying out of works on land not owned by it;
- (d) acquire any land by agreement.”.

9 In section 61 (secure tenant’s right to purchase)—

- (a) in subsection (4)(e)(i) after the words “Housing Corporation” there shall be inserted the words “or by Scottish Homes”;
- (b) in subsection (8) for the words “and the Housing Corporation” in both places where they occur there shall be substituted the words “, the Housing Corporation and Scottish Homes”;
- (c) in subsection (9)—
 - (i) after the words “Housing Corporation” there shall be inserted the words “or by Scottish Homes”;
 - (ii) after the words “the Corporation” there shall be inserted the words “or, as the case may be, Scottish Homes”;

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- (iii) after the words “3(1)” there shall be inserted the words “or, as the case may be, 3(1A)”;
- (d) in subsection (11) for paragraph (d) there shall be substituted the following paragraph—
 - “(d) Scottish Homes and the Scottish Special Housing Association;”
- 10 In section 194 (grants payable to SSHA and development corporations)—
 - (a) in subsection (1) the words “the Scottish Special Housing Association (“the Association”) and to” shall cease to have effect;
 - (b) in subsection (2) the words “the Association and to” and “the Association, acting otherwise than as agents, or by” shall cease to have effect.
- 11 Section 196 (advances to SSHA for provision or improvement of housing accommodation) shall cease to have effect.
- 12 In section 202(7) (power of Secretary of State to reduce etc. particular Exchequer contributions) in the definition of “recipient authority” for the words from “, a housing” to “Association” there shall be substituted the words “or a housing association”.
- 13 In section 216(1) (house loans to tenants exercising right to purchase) for paragraph (b) there shall be substituted—
 - “(b) in a case where the landlord is the Housing Corporation or a housing association registered in the register maintained by the Housing Corporation, to the Housing Corporation;
 - (bi) in a case where the landlord is a housing association registered in the register maintained by Scottish Homes, to Scottish Homes;”.
- 14 In section 276 (repurchase by authority other than local authority) in the Table for the words “2. The Scottish Special Housing Association” there shall be substituted the words “2. Scottish Homes or the Scottish Special Housing Association”.
- 15 In Schedule 12 (termination of exchequer payments) in paragraph 2, Part III shall cease to have effect.

Local Government Act 1988 c. 9.

- 16 In section 1(1)—
 - (a) after paragraph (j) there shall be inserted the word “and”;
 - (b) paragraph (1) and the word “and” immediately preceding it shall cease to have effect.
- 17 In Schedule 2, the words “The Scottish Special Housing Association” shall be omitted.

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Changes and effects yet to be applied to :

- Sch. 2 para. 2 repealed by [2001 asp 10 Sch. 10 para. 14\(11\)](#)
- Sch. 2 para. 3(a) repealed by [2001 asp 10 Sch. 10 para. 14\(11\)](#)
- Sch. 2 para. 14 repealed by [2001 asp 10 Sch. 10 para. 14\(11\)](#)

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\(4\)](#)