



Housing (Scotland) Act 1988

1988 CHAPTER 43

PART I

SCOTTISH HOMES

Establishment and functions

- 4 Regulation of housing associations in Scotland and transfer to Scottish Homes of certain property, rights, liabilities and obligations of Housing Corporation**
- (1) Every housing association to which this subsection applies, that is to say, every housing association which immediately before the specified date—
- (a) was registered in the register maintained under section 3(1) of the Housing Associations Act 1985 by the Housing Corporation; and
 - (b) was a society registered under the Industrial and Provident Societies Act 1965, and had its registered office for the purposes of that Act in Scotland,
- shall, on the specified date, cease to be registered in the register so maintained by the Housing Corporation and shall, as from that date, be registered by virtue of this subsection in the register maintained under section 3(1) of the Housing Associations Act 1985 by Scottish Homes.
- (2) The Secretary of State shall, not later than one month before the specified date, notify every housing association which appears to him to be one to which, on that date, subsection (1) above will apply of that fact and of the effect of that subsection.
- (3) As soon as may be after the specified date, Scottish Homes shall notify the assistant registrar of friendly societies for Scotland of every registration which has taken place by virtue of subsection (1) above.
- (4) The provisions of Part I of the Housing Associations Act 1985 (regulation of housing associations) shall have effect subject to the amendments of that Part of that Act set out in Schedule 3 to this Act.

Status: This is the original version (as it was originally enacted).

- (5) All heritable or moveable property held in Scotland by the Housing Corporation immediately before the specified date shall, on that date, be transferred to and vest in Scottish Homes and all rights, liabilities and obligations relating to or arising in connection with—
- (a) the housing associations to which subsection (1) above applies, and
 - (b) land in Scotland held by unregistered housing associations,
- being rights, liabilities and obligations to which the Housing Corporation was entitled or subject immediately before the specified date shall, on that date, be transferred to Scottish Homes.
- (6) Any question as to whether any property, right, liability or obligation has been transferred to Scottish Homes under subsection (5) above shall be determined by the Secretary of State.
- (7) In this section, “specified date” has the same meaning as in section 3 above.