

SCHEDULES

SCHEDULE 8

PROVISIONS ARISING OUT OF REMOVAL OF CROWN IMMUNITIES FROM HEALTH SERVICE BODIES

PART III

TRANSITIONAL PROVISIONS

The Housing (Scotland) Act 1988 and the Rent (Scotland) Act 1984

- 20 (1) This paragraph applies to a tenancy—
- (a) which was entered into before the appointed day; and
 - (b) which is of land in Scotland which, immediately before the appointed day, was functional health service land.
- (2) If and so long as the interest of the landlord under a tenancy to which this paragraph applies continues on and after the appointed day to belong in fact either to the Secretary of State or to an NHS trust, it shall be taken to belong to a government department for the purposes of—
- (a) paragraph 10 of Schedule 4 to the Housing (Scotland) Act 1988 (Crown tenancies entered into after the commencement of that Schedule not to be assured tenancies); or
 - (b) section 4 of the Rent (Scotland) Act 1984 (earlier Crown tenancies not to be protected tenancies).
- (3) Expressions used in sub-paragraphs (1) and (2) above have the same meaning as in Part II of the Housing (Scotland) Act 1988 or, as the case may be, the Rent (Scotland) Act 1984.