



Housing (Scotland) Act 2006

2006 asp 1

PART 2

SCHEME OF ASSISTANCE FOR HOUSING PURPOSES

Provision of assistance for housing purposes

71 Assistance for housing purposes

- (1) A local authority may provide or arrange for the provision of assistance to a person in connection with—
- (a) the acquisition or sale (or the proposed acquisition or sale) of a house, or
 - (b) work^[F1](including demolition work)] on any land or in any premises for any of the purposes mentioned in subsection (2).
- (2) Those purposes are—
- (a) provision of one or more houses by the conversion of a house or other premises,
 - (b) construction of a house,
 - (c) improvement, repair or maintenance of a house,
 - ^[F2](da) demolishing a house,
 - (d) bringing any house into, or keeping any house in, a reasonable state of repair,
 - (e) adaptation of a house for a disabled person to make it suitable for the accommodation, welfare or employment of that person,
 - (f) reinstatement of any house adapted for the purpose set out in paragraph (e),
 - (g) provision, in relation to a house, of means of escape from fire and other fire precautions.
- (3) Such assistance may, in particular, be in the form of—
- (a) the provision of advice, training or other services and facilities,
 - (b) the provision of information relating to housing,
 - (c) making available the services of staff of the local authority,
 - (d) guaranteeing or joining in guaranteeing the payment of the principal of, and interest on, money borrowed by the person (including money borrowed by the issue of loan capital) or of interest on share capital issued by the person,

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- (e) payments in respect of any expenses incurred in connection with the opening of a maintenance account,
 - (f) acquiring, holding, managing and disposing of land or premises,
 - (g) grants,
 - (h) standard loans,
 - (i) subsidised loans.
- (4) Assistance may be provided on such terms as the authority thinks fit (subject to any provision about such terms made by or under this Part).
- (5) Sections 74 to 90, 92 and 93 do not apply to assistance provided under subsection (1) (a).
- (6) The Scottish Ministers may by regulations make further provision about the provision of assistance under subsection (1).
- (7) Those regulations may, in particular, make provision as to—
- (a) the procedure to be followed by local authorities in—
 - (i) considering whether to provide such assistance,
 - (ii) providing or arranging for the provision of such assistance,
 - (b) the terms which may be imposed under subsection (4) on providing any such assistance (including provision restricting or requiring the imposition of a term).
- (8) In this section, “house for a disabled person” means a house which—
- (a) is a disabled person's residence at the time when assistance is first provided, or
 - (b) is likely in the opinion of the local authority to become a disabled person's residence within a reasonable period after that time.

Textual Amendments

- F1** Words in s. 71(1)(b) inserted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 151(a)**, 166(2); [S.S.I. 2011/96](#), art. 2, Sch.
- F2** S. 71(2)(da) inserted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 151(b)**, 166(2); [S.S.I. 2011/96](#), art. 2, Sch.

Commencement Information

- I1** S. 71 in force at 1.4.2009 by [S.S.I. 2009/122](#), **art. 3**

72 Guidance about availability and amount of assistance

- (1) A local authority must prepare and make publicly available a statement of—
- (a) the criteria by reference to which it determines whether to provide assistance under section 71(1) in particular types of case and the form of the assistance,
 - (b) the circumstances in which the approved expense relating to assistance provided by way of a grant or loan may be limited in a manner specified in the statement (see section 76(5) and (6)),
 - (c) the rate of interest or the rate or amount of other charges payable on a standard loan or on the repayment element of a subsidised loan.
- (2) Such a statement may make different provision for different cases.

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- (3) The local authority may revise or replace such a statement.

Commencement Information

I2 S. 72 in force at 1.4.2009 by S.S.I. 2009/122, art. 3

73 When assistance must be provided

- (1) A local authority must provide assistance—
- (a) under section 71(1)(b) to the owner of a house (or any non-residential premises forming part of the same building as a house) in respect of work in the house (or those premises) which the owner is required by a work notice to carry out, and
 - (b) in connection with work in a house for either of the purposes set out in paragraphs (e) and (f) of section 71(2), where the house is (or is likely to become or, in the case of a reinstatement, was) a disabled person's only or main residence.
- (2) Where assistance provided under subsection (1)(b) is in respect of work required for providing a house with one or more of the standard amenities such assistance must be provided by way of a grant if—
- (a) the house lacks one or more of the standard amenities and, in the opinion of the authority, the amenity or amenities to be provided will meet the needs of a disabled person, or
 - (b) the house already has the standard amenity in question but, in the opinion of the authority, the amenity to be provided is essential to the needs of a disabled person.
- (3) The Scottish Ministers may by regulations make further provision about the type of assistance which must be provided under subsection (1)(b).
- (4) Regulations under subsection (3) may, in particular, specify more circumstances in which such assistance must be provided by way of a grant.
- (5) A local authority complies with this section if it invites a person to apply for a grant or loan in pursuance of subsection (1) or, as the case may be, a grant in pursuance of subsection (2) and the grant or loan is not provided because—
- (a) no application is made,
 - (b) the application is not made in accordance with section 74, or
 - (c) any of the conditions mentioned in section 75(4) (so far as applicable) is not satisfied.
- (6) The standard amenities are the amenities mentioned in section 86(1)(e), (f) and (fa) of the 1987 Act.
- (7) The Scottish Ministers may by order add or remove references in subsection (6) to paragraphs of section 86(1) of the 1987 Act.

Commencement Information

I3 S. 73 in force at 29.9.2008 for specified purposes by S.S.I. 2008/308, art. 3

Changes to legislation: *There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross Heading: Provision of assistance for housing purposes. (See end of Document for details)*

I4 [S. 73](#) in force at 1.4.2009 in so far as not already in force by [S.S.I. 2009/122](#), [art. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross
Heading: Provision of assistance for housing purposes.