



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 8

#### MISCELLANEOUS

#### 177 Registered social landlords: delegation of functions

After section 68 of the Housing (Scotland) Act 2001 ([asp 10](#)), insert—

*“Delegation of functions*

**68A Power to direct certain registered social landlords to delegate functions**

- (1) This subsection applies where—
  - (a) a local authority has disposed of an interest in land to a registered social landlord (“RSL 1”) under section 12 of the 1987 Act before the date on which this section came into force,
  - (b) sections 191 to 193 and section 203(1) of the 1987 Act no longer apply to that local authority by virtue of an order made under section 94 of this Act,
  - (c) the Scottish Ministers are satisfied that it is appropriate for RSL 1 to authorise another registered social landlord to exercise any of RSL 1’s housing management functions if RSL 1 is to manage its houses in a manner which is consistent with the spirit of any notice served on tenants for the purposes of paragraph 3(2) or (3) of schedule 9 in relation to the disposal, and
  - (d) less than 5 years have passed since this section came into force.
- (2) Where subsection (1) applies, the Scottish Ministers may direct RSL 1 to authorise another registered social landlord (“RSL 2”) to exercise such of RSL 1’s housing management functions as may be specified in the direction in place of RSL 1 on such terms, if any, as may be so specified; and both RSL 1 and RSL 2 must comply with the direction.

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*Status: This is the original version (as it was originally enacted).*

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- (3) RSL 1 may not, while a direction under subsection (2) remains in force, authorise any person other than RSL 2 to exercise any functions specified in the direction.
- (4) A direction made under subsection (2) must be published in such manner as the Scottish Ministers think fit.
- (5) Any authorisation given in pursuance of a direction made under subsection (2) continues to have effect for so long as the direction has effect.
- (6) A direction made under subsection (2) continues to have effect notwithstanding the fact that the power to make that direction has expired by virtue of subsection (1)(d).
- (7) In this section “housing management functions” means functions relating to the management of houses.”.