



# Housing (Scotland) Act 1987

## CHAPTER 26

### HOUSING (SCOTLAND) ACT 1987

#### PART I

##### PROVISION OF HOUSING

###### *Duties and powers of local authorities*

- 1 Duty of local authority to consider needs of their area for further housing accommodation
- 2 Powers of local authority to provide housing accommodation
- 3 Power of local authority to provide shops, etc., in connection with housing accommodation
- 4 Power of local authority to provide furniture, etc.
- 5 Power of local authority to provide board and laundry facilities
- 6 Duty of local authority to have regard to amenities of locality, etc.
- 7 Execution of works by local authority in connection with housing operations outside their area
- 8 Adjustment of differences between local authorities as to carrying out of proposals for provision of housing accommodation

###### *Acquisition and disposal of land*

- 9 Power of local authority to acquire land for, or in connection with, provision of housing accommodation
- 10 Procedure for acquiring land
- 11 Local authority may take possession of land to be acquired by agreement or appropriated for purposes of this Part
- 12 Powers of dealing with land acquired or appropriated for purposes of this Part

- 13 Power of Secretary of State in certain cases to impose conditions on sale of local authority's houses, etc.
- 14 Powers of local authorities to sell certain houses without consent of Secretary of State
- 15 Power of local authority to enforce obligations against owner for time being of land
- 16 Disposal of land for erection of churches, etc.

*Management and allocation of local authority's houses*

- 17 General management and inspection of local authority's houses
- 18 Byelaws for regulation of local authority's houses
- 19 Admission to housing list
- 20 Persons to have priority on housing list and allocation of housing
- 21 Publication of rules relating to the housing list and to transfer of tenants

*Housing co-operatives*

- 22 Agreements for exercise by housing co-operatives of local authority housing functions

*Powers of Scottish Special Housing Association*

- 23 Compulsory purchase of land by Scottish Special Housing Association

**PART II**

**HOMELESS PERSONS**

*Main definitions*

- 24 Homeless persons and persons threatened with homelessness
- 25 Priority need for accommodation
- 26 Becoming homeless intentionally
- 27 Meaning of "local connection"

*Duties of local authorities with respect to homelessness and threatened homelessness*

- 28 Inquiry into cases, of possible homelessness or threatened homelessness
- 29 Interim duty to accommodate in case of apparent priority need
- 30 Notification of decision and reasons
- 31 Duties to persons found to be homeless
- 32 Duties to persons found to be threatened with homelessness
- 33 Referral of application to another local authority
- 34 Duties to persons whose applications are referred
- 35 Supplementary provisions
- 36 Protection of property of homeless persons and persons threatened with homelessness

*Administrative provisions*

- 37 Guidance to authorities by the Secretary of State
- 38 Co-operation between authorities

*Assistance for voluntary organisations*

- 39 Financial and other assistance for voluntary organisations concerned with homelessness

*Supplementary provisions*

- 40 False statements, withholding information and failure to disclose change of circumstances  
41 Meaning of accommodation available for occupation  
42 Application of this Part to cases arising in England or Wales  
43 Minor definitions

**PART III**

**RIGHTS OF PUBLIC SECTOR TENANTS**

*Security of tenure*

- 44 Secure tenancies  
45 Special provision for housing associations  
46 Restriction on termination of secure tenancy  
47 Proceedings for possession  
48 Powers of sheriff in proceedings  
49 Rights of landlord where a secure tenancy appears to have been abandoned  
50 Repossession  
51 Tenant's right of recourse to sheriff

*Succession*

- 52 Succession to secure tenancy

*Leases*

- 53 Tenant's right to written lease  
54 Restriction on variation of terms of secure tenancies

*Subletting*

- 55 No subletting by secure tenant without landlord's consent  
56 Rent payable by subtenants

*Repairs and improvements*

- 57 Landlord's consent to work  
58 Reimbursement of cost of work  
59 Effect of works on rent  
60 Scheme giving tenant a right to carry out repairs

*Right to buy*

- 61 Secure tenant's right to purchase  
62 The price

*Procedure*

- 63 Application to purchase and offer to sell

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

---

- 64 Conditions of sale
- 65 Variation of conditions
- 66 Notice of acceptance
- 67 Fixed price option
- 68 Refusal of applications

*Houses provided for special purposes*

- 69 Secretary of State's power to authorise refusal to sell certain houses provided for persons of pensionable age
- 70 Power to refuse to sell certain houses required for educational purposes

*Lands Tribunal*

- 71 Reference to Lands Tribunal

*Recover ability of discount*

- 72 Recovery of discount on early re-sale
- 73 Cases where discount etc. is not recoverable

*Duties of landlords*

- 74 Duties of landlords
- 75 Agreements affecting right to purchase
- 76 Duty of landlords to provide information to secure tenants

*Powers of Secretary of State*

- 77 Secretary of State may make provision for vesting in landlord to bring into being tenant's right to purchase house
- 78 Secretary of State may give directions to modify conditions of sale
- 79 Secretary of State may give financial and other assistance for tenants involved in proceedings
- 80 Secretary of State may make contributions towards the cost of transfers and exchanges
- 81 Information from landlords in relation to Secretary of State's powers

*General*

- 82 Interpretation of this Part
- 83 Members of a person's family
- 84 Service of notices

**PART IV**

**SUB-STANDARD HOUSES**

*The tolerable standard*

- 85 General duty of local authority in respect of houses not meeting tolerable standard
- 86 Definition of house meeting tolerable standard
- 87 Official representation that house does not meet tolerable standard

*Improvement order*

- 88 Improvement of houses below tolerable standard outside housing action areas

*Housing action areas*

- 89 Declaration of housing action areas for demolition  
90 Declaration of housing action areas for improvement  
91 Declaration of housing action areas for demolition and improvement  
92 Provisions supplementary to sections 89 to 91  
93 Consent to demolition of listed buildings, rehabilitation orders and compensation

*Powers of Secretary of State*

- 94 Functions of Secretary of State, and duty of local authority to publish information

*Powers of local authority*

- 95 Further procedure, powers of local authority on acquisition of land, compensation and agricultural holdings  
96 Power of local authority to retain houses subject to demolition for temporary occupation  
97 Local authority may control occupation of houses in housing action areas  
98 Obligation of local authorities in relation to rehousing in housing action areas

*Landlords and tenants in housing action areas*

- 99 Application to sheriff for possession where house is identified in accordance with paragraph 1(1) of Schedule 8 as read with section 92(4)(a)  
100 Application to sheriff for possession where house is identified in accordance with paragraph 1(1) of Schedule 8 as read with section 92(4)(c)  
101 Application to sheriff for possession where house is identified in accordance with paragraph 1 of Schedule 8 as read with section 92(4)(b)  
102 Procedure; and application of s. 103(1) of Rent (Scotland) Act 1984  
103 Certain provisions of Rent (Scotland) Act 1984 not to apply  
104 Effect of refusal to make order on validity of resolution

*Miscellaneous*

- 105 Exclusion of houses controlled by Crown  
106 Power of local authority to arrange for the execution of works of improvement by agreement with the owner  
107 Conditions may be attached to sale of below-standard local authority houses

**PART V**

**REPAIR OF HOUSES**

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

---

*Repair notices*

- 108 Power of local authority to secure repair of house in state of serious disrepair
- 109 Recovery by local authority of expenses under s. 108
- 110 Recovery by lessee of proportion of expenses incurred in repairing house

*Appeals etc.*

- 111 Appeals under Part V
- 112 Date of operation of notices, demands and orders subject to appeal

*Landlord and tenant*

- 113 Obligations to repair

**PART VI**

**CLOSING AND DEMOLITION ORDERS**

*Powers of local authority*

- 114 Closing order
- 115 Demolition order
- 116 Revocation of closing and demolition order
- 117 Undertakings to bring up to tolerable standard and suspension order
- 118 Service
- 119 Listed buildings and houses subject to building preservation orders
- 120 Powers of local authority in relation to building consisting wholly of closed houses
- 121 Local authority may acquire and repair house or building liable to closing or demolition order

*Offences*

- 122 Penalty for use of premises in contravention of closing order or of undertaking

*Powers of local authority following demolition order*

- 123 Procedure where demolition order made
- 124 Power of local authority to purchase site of demolished building where expense of demolition cannot be recovered

*Demolition of obstructive buildings*

- 125 Local authority may by resolution require demolition of obstructive building
- 126 Effect of resolution for demolition of obstructive building

*Possession*

- 127 Recovery of possession of building or house subject to closing order, etc.
- 128 Recovery of possession of house to which Rent Act applies

*Appeals and date of operation of certain notices, etc.*

- 129 Appeals
- 130 Date of operation of notices, orders or resolutions subject to appeal

*Charging orders*

- 131 Power of local authority to make charging order in favour of themselves

*Supplementary*

- 132 Protection of superiors and owners
- 133 Interpretation

*Saving*

- 134 Saving for telecommunication and gas apparatus

**PART VII**

**OVERCROWDING**

*Definition of overcrowding*

- 135 Definition of overcrowding
- 136 The room standard
- 137 The space standard

*Powers of Secretary of State*

- 138 Secretary of State may increase permitted number of persons temporarily

*Responsibility of occupier*

- 139 Penalty for occupier causing or permitting overcrowding
- 140 Exception: children attaining age of 1 or 10
- 141 Exception: temporary visitor
- 142 Licence of local authority
- 143 Exception: holiday visitors

*Powers and duties of landlord*

- 144 Offence by landlord not to inform prospective tenant of permitted number of occupants
- 145 Recovery of possession of overcrowded house that is let

*Powers and duties of local authority*

- 146 Duty of local authority to inspect district and to make reports and proposals as to overcrowding
- 147 Power to require information about persons sleeping in house
- 148 Duty to give information to landlords and occupiers
- 149 Power to publish information
- 150 Duty to enforce this Part
- 151 Interpretation and application

**PART VIII****HOUSES IN MULTIPLE OCCUPATION***Registration schemes*

- 152 Registration schemes
- 153 Steps to inform the public about scheme
- 154 Proof of scheme and contents of register
- 155 Power to require information for purposes of scheme

*Management code*

- 156 Power of Secretary of State to make management code
- 157 Power of local authority to apply management code to particular house
- 158 Appeal against making of, or failure to revoke, order under s. 157
- 159 Registration of order and of revocation

*Powers of local authority to require works to be done*

- 160 Notice requiring compliance with management code
- 161 Notice requiring compliance with standards
- 162 Notice requiring provision of means of escape from fire
- 163 Appeal against notice requiring execution of works
- 164 Carrying out of works by local authority
- 165 Penalty for failure to execute works

*Overcrowding*

- 166 Local authority may give directions to prevent or reduce overcrowding in house in multiple occupation
- 167 Notice of direction
- 168 Power to require information where notice is in force
- 169 Revocation and variation
- 170 Appeal against refusal

*Supplementary*

- 171 Application of sections 156 to 161 to certain buildings comprising separate dwellings
- 172 Management code to be available for dwellings in certain tenements
- 173 Warrant to authorise entry
- 174 Application to sheriff where consent unreasonably withheld
- 175 Protection of superiors and owners
- 176 Identity and notice under Part VIII
- 177 Statutory tenant to be regarded as lessee, etc.

*Control orders*

- 178 Making of control order
- 179 General effect of control order
- 180 Effect of control order on persons occupying house
- 181 Effect of control order in relation to furniture in furnished lettings
- 182 General duties of local authority when control order in force
- 183 Compensation payable to dispossessed proprietor
- 184 Duty to prepare management scheme



185 Power of sheriff to modify or determine lease

*Appeals*

186 Appeal against control order

187 Control order revoked on appeal

*Expiration and revocation of control order, etc.*

188 Expiration of control order, and earlier revocation by local authority or sheriff

189 Effect of cessation of control order

190 Interpretation of Part VIII

**PART IX**

**GOVERNMENT GRANTS AND SUBSIDIES**

*Housing support grants to local authorities*

191 Housing support grants: fixing of aggregate amount

192 Apportionment of housing support grants

193 Variation of orders

*Grants to the Scottish Special Housing Association and other bodies*

194 Grants payable to the Scottish Special Housing Association and development corporations

195 Grants for affording tax relief to Scottish Special Housing Association

196 Advances to Scottish Special Housing Association for provision or improvement of housing accommodation

197 Financial assistance to voluntary organisations concerned with housing

*Payment of grants*

198 Payment of grants and accounting provisions

199 Termination of certain exchequer payments to housing authorities

*Slum clearance subsidy*

200 The slum clearance subsidy

*Payment of subsidies*

201 Payment of subsidies and accounting provisions

*Secretary of State's power to vary Exchequer contributions*

202 Power of Secretary of State to reduce, suspend, discontinue or transfer particular Exchequer contributions

**PART X**

**HOUSING ACCOUNTS OF LOCAL AUTHORITIES**

203 The housing revenue account

204 Power of Secretary of State to limit estimated rate fund contributions to housing revenue account

205 The rent rebate account

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

---

- 206 The rent allowance account
- 207 The slum clearance revenue account
- 208 Application of receipts from disposal of certain land
- 209 Adjustment of accounts on appropriation of land

#### **PART XI**

#### **RENTS AND SERVICE CHARGES**

- 210 Rents for public sector housing
- 211 Service charges
- 212 Rent increase notice
- 213 Removal notice

#### **PART XII**

#### **HOUSE LOANS AND OTHER FINANCIAL ASSISTANCE**

##### *House loans: general*

- 214 Power of local authority to make advances for the purpose of increasing housing accommodation
- 215 Requirements as to meeting tolerable standard

##### *House loans: special cases*

- 216 House loans to tenants exercising right to purchase
- 217 Duty of local authorities to offer loans to meet expenses of improvement of houses in housing action areas
- 218 Duty of local authority to offer loans to meet expenses of repairs

##### *Rates of interest on home loans*

- 219 Local authority home loan interest rates
- 220 Variation of rate by local authority
- 221 Variation of rate by Secretary of State

##### *Assistance for first-time buyers*

- 222 Advances to recognised lending institutions to assist first-time buyers
- 223 Forms of assistance and qualifying conditions
- 224 Recognised lending institutions
- 225 Recognised savings institutions
- 226 Terms of advances and administration
- 227 Modifications of building society law and disapplication of provisions of the Restrictive Trade Practices Act 1976 in relation to assistance for first-time buyers
- 228 Exclusion of Restrictive Trade Practices Act: agreements as to loans on security of new houses

##### *Other assistance*

- 229 Local authority indemnities for building societies, etc.
- 230 Assistance by local authority for acquiring houses in need of repair and improvement
- 231 Loans by Public Works Loan Commissioners for provision or improvement of housing accommodation

- 232 Powers of court in cases relating to instalment purchase agreements
- 233 Power of local authority to assist in provision of separate service water pipes for houses
- 234 Financial assistance towards tenants' removal expenses

*Contributions to assistance for elderly, etc.*

- 235 Contributions by other local authorities towards expenses of housing pensioners and disabled persons

**PART XIII**

**LOCAL AUTHORITY GRANTS FOR IMPROVEMENT, REPAIR AND CONVERSION**

*Improvement grants*

- 236 Power of local authorities to make improvement grants
- 237 Form of application
- 238 Powers of local authority
- 239 Consent of Secretary of State
- 240 Conditions for approval of applications for improvement grant other than applications relating exclusively to the provision of standard amenities
- 241 Approval of application for improvement grant
- 242 Amount of improvement grant
- 243 Payment of improvement grant
- 244 Duty of local authorities to make improvement grants where an application relates exclusively to the provision of standard amenities or to disabled occupant; and amount thereof
- 245 Grants restricted to applicant and his personal representatives
- 246 Conditions to be observed with respect to houses in respect of which an improvement grant has been made, and registration thereof
- 247 Voluntary repayment of improvement grants

*Repairs grants*

- 248 Repairs grants

*Grants for fire escapes*

- 249 Grants for fire escapes for houses in multiple occupation

*Grants for houses in housing action areas*

- 250 Application of this Part to houses situated in a housing action area and power of local authority to give repairs grants in such areas and amount thereof

*Improvement of amenity grants*

- 251 Powers of local authority for improvement of amenities

*Grants for thermal insulation*

- 252 Schemes for grants for thermal insulation
- 253 Finance and administration of schemes under s. 252

*Exchequer contributions*

- 254 Exchequer contributions towards improvement or repairs grants or grants for fire escapes
- 255 Exchequer contributions to local authority towards expenditure incurred for improvement of amenities

*Agricultural tenants, etc.*

- 256 Application of this Part to agricultural tenants, etc.

**PART XIV****ASSISTANCE FOR OWNERS OF DEFECTIVE HOUSING***Eligibility for assistance*

- 257 Designation of defective dwellings by Secretary of State
- 258 Variation or revocation of designation
- 259 Conditions of eligibility
- 260 Exceptions to eligibility
- 261 Construction of references to disposal, etc.

*Determination of entitlement*

- 262 Application for assistance
- 263 Application not to be entertained where grant application pending or approved
- 264 Determination of eligibility
- 265 Determination of form of assistance to which applicant is entitled
- 266 Conditions for assistance by way of reinstatement grant
- 267 Meaning of "work required for reinstatement" and "associated arrangement"
- 268 Notice of determination

*Assistance by way of reinstatement grant*

- 269 Reinstatement grant
- 270 Conditions of payment of reinstatement grant
- 271 Amount of reinstatement grant
- 272 Changes in work or expenditure
- 273 Payment of reinstatement grant
- 274 Repayment of grant for breach of condition

*Assistance by way of repurchase*

- 275 Repurchase
- 276 Repurchase by authority other than local authority
- 277 Interest subject to right of pre-emption, etc.
- 278 Compulsory purchase compensation to be made up to 95 per cent of defect-free value
- 279 Supplementary provisions as to payments under s. 277 or 278
- 280 Reimbursement of expenses incidental to repurchase

*Effect of repurchase on occupier*

- 281 Effect of repurchase on certain existing tenancies

- 282 Grant of tenancy to former owner-occupier
- 283 Grant of tenancy to former statutory tenant
- 284 Alternative accommodation under s. 282 or 283
- 285 Request for tenancy under s. 282 or 283
- 286 Interpretation of ss. 281 to 285

*Local schemes*

- 287 Designation of defective dwellings under local schemes
- 288 Variation or revocation of designation under local schemes
- 289 Secretary of State's control over designation, variation or revocation

*Miscellaneous*

- 290 Duty of local housing authority to publicise availability of assistance
- 291 Duties of public sector authority disposing of defective dwelling
- 292 Reinstatement of defective dwelling by local authority
- 293 Death of person eligible for assistance, etc.
- 294 Dwellings included in more than one designation
- 295 Application of Act in relation to lenders on security of defective dwelling

*Contributions by Secretary of State*

- 296 Contributions by Secretary of State
- 297 Power to vary relevant percentage

*Supplementary provisions*

- 298 Service of notices
- 299 Jurisdiction of sheriff in Scotland
- 300 Meaning of "public sector authority"
- 301 Disposal of certain Crown interests in land treated as disposal by public sector authority
- 302 Meaning of "dwelling" and "house"
- 303 Interpretation

**PART XV**

**COMPENSATION PAYMENTS**

*Payments for well-maintained houses*

- 304 Payments in respect of well-maintained houses subject to closing orders, etc.
- 305 Payments in respect of well-maintained houses subject to compulsory purchase as not meeting the tolerable standard
- 306 Calculation of amount payable for well-maintained houses

*Repayment of certain payments*

- 307 Repayment of payments made in connection with closing or demolition order when revoked

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

---

*Payments for houses not meeting tolerable standard*

- 308 Right to and amount of payments for house not meeting tolerable standard
- 309 Right of parties to certain agreements secured on, or related to, houses not meeting the tolerable standard to apply to sheriff for adjustment of the agreements
- 310 Provisions as to house subject to heritable security or purchased by instalments
- 311 Interpretation of sections 308 to 310

*Payments to other local authorities*

- 312 Payment of purchase money or compensation by one local authority to another

**PART XVI**

**GENERAL AND MISCELLANEOUS**

*Byelaws*

- 313 Byelaws with respect to houses in multiple occupation
- 314 Byelaws with respect to accommodation for agricultural workers
- 315 Byelaws with respect to accommodation for seasonal workers
- 316 Confirmation of byelaws

*Entry*

- 317 Power of entry for survey, etc.

*Offences*

- 318 Penalty for obstructing execution of Act
- 319 Penalty for preventing execution of works, etc.
- 320 Penalty for damage to houses, etc.
- 321 Liability of directors, etc. in case of offence by body corporate

*Powers of sheriff for housing purposes*

- 322 Sheriff may determine lease in certain cases
- 323 Sheriff may authorise superior to execute works, etc.
- 324 Procedure on applications and appeals to sheriff

*Service*

- 325 Occupier or tenant may be required to state interest
- 326 Service by description on certain persons whose identity is unknown and on a number of persons of one description

*Landlord's identity*

- 327 Disclosure of landlord's identity
- 328 Duty to inform tenant of assignation of landlord's interest

*Powers of Secretary of State*

- 329 Power of Secretary of State in event of failure of local authority to exercise powers
- 330 Power of Secretary of State to prescribe forms, etc.
- 331 Regulations: procedure
- 332 Secretary of State's power to dispense with advertisements and notices
- 333 Local inquiries

*Miscellaneous*

- 334 Power of heir of entail to sell land for housing purposes
- 335 Crown rights
- 336 Limitation on liability of trustee, etc. for expenses incurred by local authority
- 337 Fair wages
- 338 Interpretation
- 339 Minor and consequential amendments, transitional provisions and repeals
- 340 Citation, commencement and extent

---

SCHEDULES

SCHEDULE 1 — RULES AS TO ASSESSMENT OF COMPENSATION WHERE  
LAND PURCHASED COMPULSORILY IN CERTAIN  
CIRCUMSTANCES

- 1 —If the Lands Tribunal are satisfied that the rent of...
- 2 —If the Lands Tribunal are satisfied that the rent of...
- 3 —The local authority may tender evidence as to the matters...
- 4 —The Lands Tribunal shall (except as provided in section 15(1)...
- 5 —The Lands Tribunal shall embody in their award a statement...

SCHEDULE 2 — TENANCIES WHICH ARE NOT SECURE TENANCIES

*Premises occupied under contract of employment*

- 1 (1) A tenancy shall not be a secure tenancy if...

*Temporary letting to person seeking accommodation*

- 2 —A tenancy shall not be a secure tenancy if the...

*Temporary letting pending development*

- 3 —A tenancy shall not be a secure tenancy if the...

*Temporary accommodation during works*

- 4 —A tenancy shall not be a secure tenancy if the...

*Accommodation for homeless persons*

- 5 —A tenancy shall not be a secure tenancy if the...

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

---

*Agricultural and business premises*

6 —A tenancy shall not be a secure tenancy if the...

*Police and fire authorities*

7 —A tenancy shall not be a secure tenancy if the...

*Houses part of, or within curtilage of, certain other buildings*

8 —A tenancy shall not be a secure tenancy if the...

SCHEDULE 3 — GROUNDS FOR RECOVERY OF POSSESSION OF HOUSES  
LET UNDER SECURE TENANCIES

PART I — GROUNDS ON WHICH COURT MAY ORDER RECOVERY  
OF POSSESSION

- 1 —Rent lawfully due from the tenant has not been paid,...
- 2 —The tenant (or any one of joint tenants) or any...
- 3 —The condition of the house or of any of the...
- 4 —The condition of any furniture provided for use under the...
- 5 —The tenant and his spouse have been absent from the...
- 6 —The tenant is the person, or one of the persons,...
- 7 —The tenant of the house (or any one of joint...
- 8 —The tenant of the house (or any one of joint...
- 9 —The house is overcrowded, within the meaning of section 135,...
- 10 —It is intended within a reasonable period of time to...
- 11 —The house has been designed or adapted for occupation by...
- 12 —The house forms part of a group of houses which...
- 13 —The landlord is a housing association which has as its...
- 14 —The interest of the landlord in the house is that...
- 15 (a) The landlord is an islands council; and
- 16 —The landlord wishes to transfer the secure tenancy of the...

PART II — SUITABILITY OF ACCOMMODATION

- 1 —For the purposes of sections 48(3) and 51(3), accommodation is...
- 2 —In determining whether accommodation is reasonably suitable to the  
needs...
- 3 —If the landlord has made an offer in writing to...

SCHEDULE 4 — TERMS OF SECURE TENANCY RELATING TO  
SUBLETTING, ETC

- 1 —A secure tenant who wishes to assign, sublet or otherwise...
- 2 —In relation to an application under paragraph 1, the landlord...
- 3 (a) The landlord shall serve on the tenant notice in...
- 4 —A tenant who is aggrieved by a refusal (other than...
- 5 —In proceedings under paragraph 4, the sheriff shall order the...
- 6 —In deciding whether a refusal is reasonable the sheriff shall...

SCHEDULE 5 — TERMS OF SECURE TENANCY RELATING TO  
ALTERATIONS, ETC. TO HOUSE

- 1 —A secure tenant who wishes to carry out work shall...
- 2 —In relation to an application under paragraph 1, the landlord...
- 3 —The landlord shall intimate consent or refusal, and any conditions...
- 4 —In the event that the landlord fails to make intimation...
- 5 —A tenant who is aggrieved by a refusal, or by...



- 6 —In proceedings under paragraph 5, the sheriff shall order the...  
7 —In deciding whether a refusal or a condition is reasonable...

#### SCHEDULE 6 — VESTING ORDER UNDER SECTION 77: MODIFICATION OF ENACTMENTS

##### *The Town and Country Planning (Scotland) Act 1972 (c.52)*

- 1 —Paragraphs 1(2), 6 to 13 and 16 to 39 of...  
2 —The references in paragraphs 6, 7 and 37 of that...  
3 —In paragraph 6 of that Schedule— (a) the reference to...  
4 —The reference in paragraph 20(2) of that Schedule to the...  
5 —In paragraph 29 of that Schedule— (a) sub-paragraph (1)(a) shall...

##### *The Land Compensation (Scotland) Act 1963 (c.51)*

- 6 —Any reference to the date of service of a notice...  
7 —Section 25(2) shall be treated as if for the words...  
8 —In section 30— (a) subsection (2) shall be treated as...  
9 —Any reference to a notice to treat in section 45(2)...  
10 —In Schedule 2, paragraph 2(1)(a) shall be treated as if...

#### SCHEDULE 7 — PART I — CONSENT TO DEMOLITION OF LISTED BUILDINGS IN HOUSING ACTION AREAS, ETC

##### *Buildings subject to compulsory purchase orders for demolition subsequently listed*

- 1 (1) In this paragraph, references to a compulsory purchase order...

##### *Buildings acquired by agreement for demolition subsequently listed*

- 2 (1) Where Part IV applies to a building purchased by...

#### PART II — REHABILITATION ORDERS

##### *Application and effect of rehabilitation orders*

- 3 (1) This Part of this Schedule applies to any house...

##### *Miscellaneous provisions relative to rehabilitation orders*

- 4 —Where the owner of a house to which this Part...  
5 —Where a local authority have made a rehabilitation order they...  
6 (1) Where— (a) land included in a compulsory purchase order,...  
7 —A rehabilitation order may be made and confirmed notwithstanding that...

##### *Procedure for making and confirming rehabilitation orders*

- 8 —A rehabilitation order shall be made in the prescribed form...  
9 (1) Before submitting a rehabilitation order to the Secretary of...  
10 (1) If no objection is duly made by any of...  
11 —Paragraphs 6, 15 and 16 of Schedule 1 to the...

##### *Interpretation of this Part of this Schedule*

- 12 —In this Part of this Schedule, unless the context otherwise...

PART III — APPLICATION OF ENACTMENTS RELATING TO  
COMPENSATION ON COMPULSORY PURCHASE, ETC., TO  
CASES UNDER PART I OR PART II OF THIS SCHEDULE

*Compensation*

13 (1) Where, under Part I or II of this Schedule,...

*Extension of time limits for exercising powers under certain compulsory purchase orders*

14 —In section 116 of the Lands Clauses Consolidation (Scotland) Act...

SCHEDULE 8 —

PART I — HOUSING ACTION AREAS

*Procedure after publication of draft resolution*

1 (1) The local authority shall have regard to any representations...

2 —Any notice authorised or required to be sent to any...

PART II — POWERS OF LOCAL AUTHORITY IN RELATION TO  
ACQUISITION OF LAND FOR HOUSING ACTION AREAS

3 (1) Subject to the provisions of sub-paragraph (2), where a...

*Land adjoining housing action area*

4 —Where a local authority determine to acquire any land comprised...

*Further provisions relating to acquisition of land*

5 (1) In so far as a resolution passed under section...

*Land belonging to local authority*

6 (1) A local authority may include in a housing action...

*Local authority may take possession of land*

7 —Section 11 (which provides that a local authority may take...

*Local authority may sell or lease land*

8 —A local authority who have under Part IV or this...

*Extinction of rights of way servitudes, etc.*

9 (1) A local authority may, with the approval of the...

*Provisions as to apparatus of public undertakers*

10 (1) Where the removal or alteration of apparatus belonging to...

*Saving for telecommunication apparatus, etc.*

11 (1) Paragraph 23 of the telecommunications code (which provides a...

PART III — COMPENSATION IN RESPECT OF LAND ACQUIRED  
COMPULSORILY

12 (1) Where land is purchased compulsorily by a local authority...

PART IV — ADJUSTMENT OF RELATIONS BETWEEN LESSORS AND  
LESSEES OF AGRICULTURAL HOLDINGS, ETC

13 (1) Section 8 of the Agricultural Holdings (Scotland) Act 1949...

SCHEDULE 9 — RECOVERY OF EXPENSES BY CHARGING ORDER

- 1 —Where under sections 108(3), 131(2) and 164(4) a local authority...
- 2 —The annuity charged shall be such sum not exceeding such...
- 3 —A charging order shall be in such form as may...
- 4 —Every annuity constituting a charge by a charging order duly...
- 5 —A charging order duly recorded in the General Register of...
- 6 —Every annuity charged by a charging order may be recovered...
- 7 —A charging order and all sums payable thereunder may be...
- 8 —Any owner of, or other person interested in, premises on...

SCHEDULE 10 — LANDLORD'S REPAIRING OBLIGATIONS

*Obligations to repair*

1 (1) This paragraph applies— (a) to a contract entered into...

*Application of paragraph 1 to houses occupied  
by agricultural workers otherwise than as tenants*

2 —Notwithstanding any agreement to the contrary, where under any  
contract...

*Repairing obligations in short leases of houses*

3 (1) In any lease of a house, being a lease...

*Application of paragraph 3*

4 (1) Subject to the provisions of this paragraph, paragraph 3...

*Restriction on contracting out*

5 (1) The sheriff may, on the application of either party...

SCHEDULE 11 — HOUSES IN MULTIPLE OCCUPATION: CONTROL ORDERS

PART I — MANAGEMENT SCHEMES

1 (1) A management scheme shall give particulars of all works...

*Recovery by local authority of capital expenditure*

2 (1) Account shall be kept by the local authority for...

PART II — APPEAL AND REVIEW

- 3 (1) Within 6 weeks from the date on which a...
- 4 (1) Without prejudice to the right of appeal against a...
- 5 (1) If a local authority refuse an application to revoke...
- 6 (1) A sheriff who revokes a control order on appeal...

*Powers of court to restrict recovery of possession*

7 (1) The provisions of this paragraph apply where—

PART III — CONSEQUENCES OF CESSATION OF CONTROL ORDER

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

---

*Transfer of landlord's interest in tenancies and agreements*

8 (1) On and after the date on which the control...

*Cases where leases have been modified while control order was in force*

9 —If under section 185 the sheriff modifies or determines a...

*Interpretation*

10 —References in this Part of this Schedule to the control...

PART IV — RECOVERY OF EXPENSES BY LOCAL AUTHORITY  
EXECUTING WORKS UNDER SECTION 164

11 (1) Sections 108(6) (exercise of power of local authority to...

SCHEDULE 12 — TERMINATION OF EXCHEQUER PAYMENTS TO LOCAL  
AUTHORITIES AND CERTAIN PERIODICAL PAYMENTS  
TO OTHER PERSONS

1 (1) No payment shall be made— (a) for the year...

2 — Table Part I Payments to local authorities Chapter Act...

SCHEDULE 13 — ENACTMENTS SPECIFYING EXCHEQUER  
CONTRIBUTIONS

SCHEDULE 14 — ENACTMENTS SPECIFYING EXCHEQUER  
CONTRIBUTIONS THAT MAY BE REDUCED, SUSPENDED  
OR DISCONTINUED

SCHEDULE 15 — THE HOUSING REVENUE ACCOUNT

PART I — APPLICATION OF ACCOUNT

1 (1) The houses, buildings and land specified for the purposes...

PART II — OPERATION OF ACCOUNT

*Credits*

2 (1) For each year a local authority shall carry to...

*Debits*

3 —Subject to paragraph 4 of this Schedule, for each year...

4 —A local authority shall not debit to the housing revenue...

*Supplemental*

5 —Any requirement of this Schedule as respects any amount to...

6 —A local authority may, with the consent of the Secretary...

7 —Where it appears to the Secretary of State that amounts...

8 —The Secretary of State may direct that items of income...

9 (1) If at any time a credit balance is shown...

10 —References in this Schedule to houses and other property to...

SCHEDULE 16 — THE SLUM CLEARANCE REVENUE ACCOUNT

*Credits*

1 —For each year a local authority shall carry to the...

2 —Where for any year a deficit is shown in the...

*Debits*

3 —For each year a local authority shall debit to the...

*Supplemental*

4 —Any surplus shown in a slum clearance revenue account at...

5 —A local authority may, with the consent of the Secretary...

6 —The Secretary of State may direct that items of income...

SCHEDULE 17 — CONDITIONS RELATING TO HOUSE LOANS

1 —The provisions of this Schedule shall have effect with respect...

2 —The advance, together with interest thereon, shall be secured by...

3 —The amount of the principal of the advance shall not...

4 —The heritable security shall provide for repayment of the principal  
—...

5 —It shall also provide for the payment of instalments of...

6 —In the event of any of the conditions subject to...

7 —That balance may in any event be repaid at any...

8 —Where the advance is for any of the purposes specified...

9 —The advance shall not be made except after a valuation...

10 —No advance shall be made unless the estate or interest...

11 —In this Schedule, any reference, in relation to an advance,...

SCHEDULE 18 — STANDARD AMENITIES

PART I — LIST OF AMENITIES AND MAXIMUM ELIGIBLE  
AMOUNTS

PART II — LIMIT ON AMOUNT OF APPROVED EXPENSES FOR  
STANDARD AMENITIES

1 —Subject to paragraph 3, the total amount of approved expense...

2 —Subject to paragraph 4, for each of the standard amenities...

3 —Subject to the provisions of section 242, the maximum eligible...

4 —An amount shall not be allowed for more than one...

SCHEDULE 19 — CONSEQUENCES OF BREACH OF CONDITIONS OF  
IMPROVEMENT GRANT

1 —Subject to paragraphs 4 and 5, the local authority shall...

2 —If the local authority are satisfied that the breach of...

3 —If the local authority are satisfied that the breach although...

4 —Upon the satisfaction of a liability of an owner of...

5 —On the application of the local authority, the sheriff within...

6 (1) In any case where in pursuance of paragraph 4,...

7 —In the event of a breach of any of the...

8 —In this Schedule, "interest" means compound interest calculated at  
such...

SCHEDULE 20 — ASSISTANCE BY WAY OF REPURCHASE

PART I — THE AGREEMENT TO REPURCHASE

*The interest to be acquired*

1 —In this Schedule, "the interest to be acquired" means the...

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

---

*Request for notice of proposed terms of acquisition*

2 —A person who is entitled to assistance by way of...

*Authority's notice of proposed terms*

3 —The purchasing authority shall, within the period of three months...

*Unreasonable terms*

4 —Where an offer to purchase is served on the person...

*Appeal*

5 —A person so entitled who is aggrieved by the refusal...

*Notice of acceptance*

6 —The person so entitled may at any time within the...

*Extensions*

7 —The authority shall, if there are reasonable grounds for doing...

*Interest acquired to be treated as if acquired under Part I*

8 —An interest acquired by a local authority under this Part...

**PART II — PRICE PAYABLE AND VALUATION**

*The price*

9 (1) The price payable for the acquisition of an interest...

*The value*

10 (1) For the purposes of this Schedule, the value of...

*Determination of value*

11 (1) Any question arising under this Schedule as to the...

*Certain grant conditions cease to have effect*

12 —Where the interest to be acquired is or includes a...

**SCHEDULE 21 — DWELLINGS INCLUDED IN MORE THAN ONE DESIGNATION**

*Introductory*

1 —This Schedule applies in relation to a defective dwelling where...

*Cases in which later designation to be disregarded*

2 —Where a person is already eligible for assistance in respect...

*In other cases any applicable designation may be relied on*

3 —Where a person is eligible for assistance in respect of...

*Procedure to be followed where later designation comes into operation*

- 4 —The following provisions of this Schedule apply where—  
5 (1) The local authority shall, as soon as reasonably practicable,...  
6 (1) This paragraph applies where it appears to the authority...  
7 (1) This paragraph applies where a person entitled to assistance...

SCHEDULE 22 — TRANSITIONAL PROVISIONS AND SAVINGS  
PART I — TRANSITIONAL PROVISIONS

*General*

- 1 —The re-enactment of provisions in, and the consequent repeal of...  
2 —In so far as— (a) any requirement, prohibition, determination, order...  
3 —Where any enactment passed before this Act, or any instrument...  
4 —Where any period of time specified in any enactment repealed...  
5 (1) The general rule is that the provisions of this...

*Persons holding office*

- 6 —Any person who at the commencement of this Act is...

*Security of tenure of tenants of regional councils, etc.*

- 7 —Notwithstanding the repeal by this Act of section 16(2) and...

PART II — SAVINGS

*General saving for old transitional provisions*

- 8 —The repeal by this Act of a provision relating to...

*General saving for old savings*

- 9 (1) The repeal by this Act of an enactment previously...

*Transfers under section 14 of the Housing (Homeless Persons) Act 1977*

- 10 (1) The repeal by this Act of section 14 of...

*Use of existing forms, etc.*

- 11 —Any document made, served or issued on or after this...

*Secure tenant: reimbursement of cost of work done before 3rd October 1980*

- 12 —The repeal of section 24(1) of the Tenants' Rights, Etc....

*Contributions under sections 106 and 121 of the Housing (Scotland) Act 1950 (c.34) and section 14 of the Housing (Scotland) Act 1962 (c.28)*

- 13 —Contributions remain payable by the Secretary of State under sections...

SCHEDULE 23 — MINOR AND CONSEQUENTIAL AMENDMENTS

*General*

- 1 —Any reference in any previous enactment to "standard amenities" as...

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

---

2 —Any reference in any previous enactment to "tolerable standard" as...

*The Crofters Holdings (Scotland) Act 1886 (c. 29)*

3 —In the Schedule, in paragraph 1 A, for the words...

*The Sheriff Courts (Scotland) Act 1907 (c. 51)*

4 —In the Sheriff Courts (Scotland) Act 1907, after section 38...

*The Crofters (Scotland) Act 1955 (c. 21)*

5 —In Schedule 5, in paragraph 1A, for the words "Part...

*The Clean Air Act 1956 (c. 52)*

6 (1) In section 12(3) (adaptation of fireplaces in private dwellings),...

*The Coal Mining (Subsidence) Act 1957 (c. 59)*

7 (1) In section 1(4) (duty of Board in respect of...

*The Building (Scotland) Act 1959 (c. 24)*

8 —In the Sixth Schedule, in paragraph 4(b)(ii), for the words...

*The Pipe-lines Act 1962 (c. 58)*

9 —In section 30(2), for the words " 181", " 1966"...

*The Land Compensation (Scotland) Act 1963 (c. 51)*

10 (1) In section 15(7), for paragraph (d) substitute the following...

*The Local Government (Scotland) Act 1966 (c.51)*

11 —In section 46(1) (general interpretation), in the definition of "housing...

*The National Loans Act 1968 (c.13)*

12 —In Schedule 4, for the words "78" and "1950" substitute...

*The New Towns (Scotland) Act 1968 (c.16)*

13 (1) In section 6, subsection (6) shall cease to have...

*The Clean Air Act 1968 (c.62)*

14 —In section 8(7), for the words "193 and 194" substitute...

*The Post Office Act 1969 (c.48)*

15 —In Schedule 4— (a) in paragraph 83(1), for "II of...

*The Local Authority Social Services Act 1970 (c.42)*

16 —In Schedule 1, at the end insert in column 1...



*The Chronically Sick and Disabled Persons Act 1970 (c.44)*

17 —In section 3(2), for the words "VII", "1966" and "137"...

*The Town and Country Planning (Scotland) Act 1972 (c.52)*

18 —In section 186, for "section 26 of the Housing (Scotland)..."

*The Land Compensation (Scotland) Act 1973 (c.56)*

19 (1) In section 27(1)(f), for the words "15(2) of the..."

*The Local Government (Scotland) Act 1973 (c.65)*

20 (1) In section 130— (a) in subsection (1), for the...

*Consumer Credit Act 1974 (c.37)*

21 —In section 16(1)(ff), for the words "2 of the 1978..."

*Land Tenure Reform (Scotland) Act 1974 (c.38)*

22 —In section 8(7), for the words "Tenants' Rights, Etc. (Scotland)..."

*Local Government (Scotland) Act 1975 (c.30)*

23 (1) In Schedule 3— (a) paragraph 27 shall cease to...

*The National Health Service (Scotland) Act 1978 (c.29)*

24 —In section 100(1)— (a) in paragraph (a), for the words...

*The Local Government, Planning and Land Act 1980 (c.65)*

25 (1) In section 152(1)(c), for the words "1 of the..."

*The Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)*

26 —In section 13(11), for the words "the Tenants' Rights, Etc...."

*The Local Government and Planning (Scotland) Act 1982 (c.43)*

27 —In section 24(2), for the words "32(1)(b) of the Housing..."

*The Civic Government (Scotland) Act 1982 (c.45)*

28 (1) In section 87(5), for the words "Part II of..."

*The Rent (Scotland) Act 1984 (c.58)*

29 (1) In section 5(5), for the words "5 of the..."

*The Housing Act 1985 (c.68)*

30 (1) In section 76— (a) in subsection (1)(a), for the...

*The Housing Associations Act 1985 (c.69)*

31 (1) In section 8(1), for the words "Part I of..."

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

---

*Airports Act 1986 (c.31)*

32 —In Schedule 2, paragraph 4, for the words "56" and...

SCHEDULE 24 — REPEALS

TABLE OF —  
DERIVATIONS

- 1 The following abbreviations are used in this Table: Acts of...
- 2 The Table does not show the effect of Transfer of...
- 3 The letter R followed by a number indicates that the...
- 4 The entry "drafting" indicates a provision of a mechanical or...