

2012 No. 283 (C. 30)

HOUSING

**The Housing (Scotland) Act 2010 (Commencement No. 8 and
Saving Provision) Order 2012**

Made - - - - - *22nd October 2012*

Laid before the Scottish Parliament *25th October 2012*

Coming into force - - - *31st December 2012*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 161(2)(a) and 166(2) of the Housing (Scotland) Act 2010(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Housing (Scotland) Act 2010 (Commencement No. 8 and Saving Provision) Order 2012 and comes into force on 31st December 2012.

(2) In this Order “the Act” means the Housing (Scotland) Act 2010.

Appointed days

2. 1st April 2013 is the day appointed for section 145 (collection and publication of information: local authority housing stock) and section 146 (collection and publication of information: local authority tenants eligible for right to buy) of the Act to come into force.

3. 1st June 2013 is the day appointed for section 158 (housing support) of the Act to come into force, in so far as not already in force.

Saving provision

4. The commencement of sections 145 and 146 of the Act does not give rise to any duty to collect or publish information in respect of any financial year ending on or prior to 31st March 2013.

MJ BURGESS

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
22nd October 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings sections 145 and 146 of that Act into force on 1st April 2013. It also brings section 158 of the Housing (Scotland) Act 2010 into force on 1st June 2013, in so far as it is not already in force.

Sections 145 and 146 require the Scottish Ministers to collect and publish information related to the right to buy. Section 145 refers to the number of local authority houses sold under that right, the receipts produced and information about housing stock debt. Section 146 refers to the numbers of local authority tenants with each of the two versions of the right to buy. The information is to be published for each local authority.

Section 158 inserts section 32B into the Housing (Scotland) Act 1987, which requires local authorities to assess whether some persons found to be homeless or threatened with homelessness (“an applicant”) need such housing support services as are prescribed. This duty also extends to any person who lives with an applicant. Any services assessed as needed must then be provided.

Article 4 makes saving provision to provide that the duties imposed by sections 145 and 146 will first arise in respect of the 2013/14 financial year.

On the coming into force of sections 145, 146 and 158 of the Housing (Scotland) Act 2010 in terms of this Order, the following provisions of that Act will remain uncommenced:—

- (a) section 110 (partially) (tenant consultation: other disposals); and
- (b) section 147 (duty to collect and publish information: sales of houses under right to buy by registered social landlords).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 143 (partially)	3rd January 2011	S.S.I. 2010/444
Sections 138 to 141, 143 (in so far as not already in force), 144, 148 to 151, 152(1) and (2), 154, 156 and 164, and schedule 2, paragraph 2	1st March 2011	S.S.I. 2011/96
Section 162 (partially)	1st March 2011	S.S.I. 2011/96
Section 153(a) (partially)	20th March 2011	S.S.I. 2011/181
Sections 1, 2, 3(2), 5(1)(a), (2) and (3), 6(2), 7 to 12, 15 to 17, 18(1) and (2), 19, 31 to 33, 39, 46(2) and 47(2), and schedule 2, paragraphs 6, 8, 9 and 10	1st April 2011	S.S.I. 2011/96
Partially, sections 4, 24 to 26, 28, 35, 36, 50, 51, 54, 68, 73(3), 108(3), 109(4) and 162	1st April 2011	S.S.I. 2011/96
Section 152(3)	4th April 2011	S.S.I. 2011/96
Section 142	30th June 2011	S.S.I. 2011/96
Section 157 and section 158 (partially)	7th October 2011	S.S.I. 2011/339
Partially, sections 153 and 155	22nd February 2012	S.S.I. 2012/19

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
In so far as not already in force, sections 1 to 109, 111 to 137, 159 to 167 and schedules 1 and 2	1st April 2012	S.S.I. 2012/39
Section 110 (partially)	1st April 2012	S.S.I. 2012/39
So far as not already in force, sections 153 and 155	1st August 2012	S.S.I. 2012/91

© Crown Copyright 2012

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland.

2012 No. 283 (C. 30)

HOUSING

The Housing (Scotland) Act 2010 (Commencement No. 8 and
Saving Provision) Order 2012

£4.00

S5678 10/2012 325678T 19585

ISBN 978-0-11-101815-6



9 780111 018156