SCOTTISH STATUTORY INSTRUMENTS

2002 No. 416

HOUSING

The Housing (Scotland) Act 2001 (Registration of Tenant Organisations) Order 2002

Made - - - -	*5th September 2002*
Laid before the Scottish Parliament - - - -	*9th September 2002*
Coming into force - -	*30th September 2002*

The Scottish Ministers, in exercise of the powers conferred by section 53(4) of the Housing (Scotland) Act 2001(**1**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Housing (Scotland) Act 2001 (Registration of Tenant Organisations) Order 2002 and shall come into force on 30th September 2002.

Interpretation

2. In this Order–

"applicant" means a body seeking registration in the register;

"landlord" means a local authority landlord or a registered social landlord; and

"register" means a register of tenant organisations maintained by a landlord under section 53(3) of the Housing (Scotland) Act 2001.

Criteria for registration

3. The criteria to be satisfied by an applicant are set out in Part I of the Schedule to this Order.

Criteria for removal from the register

4. The criteria to be satisfied by a body seeking removal from the register are set out in Part II of the Schedule to this Order.

(**1**) 2001 asp 10.

Procedure for application for registration

5.—(1) An application for registration in a register shall be in writing.

(2) An application shall be sent by the applicant to the landlord, accompanied by the following:–

(a) a copy of the applicant's constitution;

(b) a list of its office bearers and the address to which correspondence with that applicant should be sent;

(c) details of other landlords with whom it has registered or is seeking to register; and

(d) a description of its area of operation.

(3) An applicant which satisfies the criteria referred to in article 3 above shall be registered by the landlord as a registered tenant organisation.

(4) If the application for registration is accepted, the landlord shall notify the applicant in writing of that fact and of the effective date of registration.

(5) If the application for registration is refused, the landlord shall notify the applicant in writing of the decision and the reasons for refusal and of the right to appeal to the Scottish Ministers.

Procedure for Removal from a Register

6.—(1) If a landlord is satisfied that a body which is a registered tenant organisation satisfies any of the criteria in Part II of the Schedule, the landlord may, whether or not on the application of the registered tenant organisation and after giving that organisation written notice specifying the proposed reasons for and the proposed effective date of removal, remove it from the register.

(2) A registered tenant organisation may make a written application to a landlord to be removed from the register.

(3) The landlord shall notify the organisation in writing of any decision to remove, or not to remove, that organisation from the register and of its right to appeal to the Scottish Ministers.

Notices etc.

7. Any notice which requires to be given under these regulations shall be deemed to have been given to the organisation if it is served at the address given under paragraph (2)(b) of article 5.

St Andrew's House,Edinburgh
5th September 2002

MARGARET CURRAN
A member of the Scottish Executive