

SCHEDULE 5
TRANSITION FROM REGIMES UNDER EARLIER ENACTMENTS

PART 1

NO NEW ASSURED TENANCIES

No new assured tenancies

- 1 (1) Section 12 of the Housing (Scotland) Act 1988 is amended as follows.
 - (2) In subsection (1), after the word “subsection” there is inserted “(1A) or”.
 - (3) After subsection (1) there is inserted—

“(1A) A tenancy cannot be an assured tenancy if it is granted on or after the day that section 1 of the Private Housing (Tenancies) (Scotland) Act 2016 comes into force.”.
 - (4) In schedule 4, after paragraph 13(3) there is inserted—

“(4) A tenancy which is a private residential tenancy as defined in the Private Housing (Tenancies) (Scotland) Act 2016.”.

No new short assured tenancies

- 2 (1) The Housing (Scotland) Act 1988 is amended as follows.
 - (2) In section 32—
 - (a) in subsection (3)—
 - (i) paragraph (b) and the word “or” immediately preceding it are repealed,
 - (ii) the words “or, as the case may be, the new contractual tenancy” are repealed,
 - (b) in subsection (4)—
 - (i) the words “or, as the case may be, before the beginning of the new tenancy” are repealed,
 - (ii) the words “or new” are repealed.
 - (3) In section 33(1)—
 - (a) the word “and” is inserted at the end of paragraph (b),
 - (b) paragraph (c), including the word “and” at the end of it, is repealed.