



# Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

## PART 2

### TENANCY TERMS

#### 8 Regulations under section 7

- (1) Regulations may not be made under section 7(1) unless—
  - (a) they prescribe, in relation to the tenancies to which the regulations are to apply, the terms set out in schedule 2, or
  - (b) those terms are prescribed in relation to those tenancies already.
- (2) Regulations made under section 7 may not be revoked in exercise of the power conferred by that section to the extent that their revocation would result in terms set out in schedule 2 not applying in relation to some or all private residential tenancies.
- (3) Nothing in this section prevents provision being made under section 7(3) so that—
  - (a) in some circumstances, a term set out in schedule 2 is not a term of a private residential tenancy,
  - (b) in some or all circumstances, a term set out in schedule 2 applies subject to modification.
- (4) Before making regulations under section 7, the Scottish Ministers must consult such persons representing the interests of tenants and landlords under private residential tenancies as they think fit.

<sup>F1</sup>(5) .....

#### Textual Amendments

- F1** S. 8(5) repealed (1.12.2017) by [The Private Housing \(Tenancies\) \(Scotland\) Act 2016 \(Commencement No. 3, Amendment, Saving Provision and Revocation\) Regulations 2017 \(S.S.I. 2017/346\)](#), regs. 1(1), **5(2)**

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**Changes to legislation:** There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 8. (See end of Document for details)

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#### Commencement Information

**II** S. 8 in force at 31.10.2016 by [S.S.I. 2016/298](#), reg. 2, [sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 8.