



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.
- (5) Where regulations are made under section 7 before section 1 comes into force, the reference in subsection (4) to tenants and landlords under private residential tenancies is to be read as a reference to persons who are likely to be affected by the regulations.