

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which are made under the [Housing \(Scotland\) Act 2006 \(asp 1\)](#), prescribe the documents which a seller or a selling agent must possess and provide in response to a request from potential buyers. The documents, which are prescribed in regulation 4, are a survey report which also contains information on energy efficiency, set out in Schedule 1, and a property questionnaire, set out in Schedule 2.

Regulation 3 provides that a copy of the prescribed documents must be supplied within 9 days of the request.

The persons who may prepare each of these documents are prescribed in regulation 5.

Information in a prescribed document must, according to regulation 6, relate to a date no earlier than 12 weeks before the house is put on the market. If, however, the house has previously been on the market and withdrawn for periods of 4 weeks or less, then the information must relate to a date no earlier than 12 weeks before the house was first put on the market.

Marketing certain types of property, exceptionally, does not give rise to the duties to possess and provide the prescribed documents. These exceptions are listed in regulations 7–14.