

Draft Regulations laid before the Scottish Parliament under sections 11(4)(a) and 12(5)(a) of the Cost of Living (Tenant Protection) (Scotland) Act 2022 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

HOUSING

**The Cost of Living (Tenant Protection) (Scotland) Act
2022 (Expiry of Section 10: Extension) Regulations 2024**

Made - - - - 2024
Coming into force - - 31st March 2024

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by sections 11(2) and 12(1) of the Cost of Living (Tenant Protection) (Scotland) Act 2022⁽¹⁾ (“the 2022 Act”) and all other powers enabling them to do so.

In accordance with section 11(5) of the 2022 Act, at the same time as laying a draft of this instrument before the Scottish Parliament, the Scottish Ministers laid before the Scottish Parliament a statement of their reasons why the Regulations should be made.

In accordance with sections 11(4)(a) and 12(5)(a) of the 2022 Act, a draft of this instrument has been laid before, and approved by resolution of, the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Cost of Living (Tenant Protection) (Scotland) Act 2022 (Expiry of Section 10: Extension) Regulations 2024 and come into force on 31 March 2024.

(2) In these Regulations—

“the 2022 Act” means the Cost of Living (Tenant Protection) (Scotland) Act 2022.

Change to expiry of section 10

2. Instead of expiring at the end of 31 March 2024⁽²⁾, section 10 (rent adjudication: power to modify) of the 2022 Act expires at the end of a period of one year from that time.

(1) 2022 asp 10.

(2) Section 10 was due to expire at the end of 31 March 2024 in accordance with section 11(1) of the Cost of Living (Tenant Protection) (Scotland) Act 2022.

Consequential amendment of section 11

3.—(1) The 2022 Act is modified as follows.

(2) In section 11(1) (expiry of section 10) for “31 March 2024” substitute “31 March 2025”.

St Andrew’s House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations modify the Cost of Living (Tenant Protection) (Scotland) Act 2022 (“the 2022 Act”) to change the date when section 10 and, by consequence, schedule 3 of the Act expire.

Schedule 3 of the 2022 Act confers powers on the Scottish Ministers on or in anticipation of the expiry or suspension of the rent controls imposed by paragraph 1 of schedule 1 of the Act, to modify how rent is to be determined by a rent officer or the First-tier Tribunal for Scotland.

Regulation 2 of these regulations provides that, instead of expiring at the end of 31 March 2024, section 10 and schedule 3 of the 2022 Act will expire one year later (i.e. at the end of 31 March 2025).

Regulation 3 makes a consequential amendment to section 11(1) of the 2022 Act to reflect this change.