
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings certain provisions of the Private Rented Housing (Scotland) Act 2011 (“the 2011 Act”) into force on 31st January 2012.

Sections 13(2), 13(4) and 13(5) which amend various parts of the Houses in Multiple Occupation (HMO) licensing regime in Part 5 of the Housing (Scotland) Act 2006 are brought into force for all purposes.

Sections 17, 19 and 32(2) are brought into force for the purposes of making subordinate legislation only. Section 29 is brought into force for the purposes of requiring consultation before issuing guidance only.

Article 3 ensures that the new procedure for preliminary refusal of HMO licence applications for breach of planning control does not apply to applications received by a local authority prior to 31st January 2012.

The Bill for the 2011 Act received Royal Assent on 20th April 2011. Part 5 of the 2011 Act (sections 38 to 41: general provisions) came into force the following day.