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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 295**

**HOUSING**

**The Notice to Local Authorities  
(Scotland) Amendment Regulations 2017**

*Made* - - - - 12th September 2017  
*Laid before the Scottish  
Parliament* - - - - 14th September 2017  
*Coming into force* - - 1st December 2017

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 11(3) and (4) of the Homelessness etc. (Scotland) Act 2003<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Notice to Local Authorities (Scotland) Amendment Regulations 2017 and come into force on 1st December 2017.

**Amendment of the Notice to Local Authorities (Scotland) Regulations 2008**

2.—(1) The Notice to Local Authorities (Scotland) Regulations 2008<sup>(2)</sup> are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (form of notice), after sub-paragraph (e) insert—

“(f) section 56(1) (restriction on applying without notifying local authority) of the Private Housing (Tenancies) (Scotland) Act 2016.”.

(3) In the table in schedule 1, after entry (4) insert—

“(4A)	section 56(1) (restriction on applying without notifying local authority) of the Private Housing (Tenancies) (Scotland) Act 2016 ( <a href="#">asp 19</a> )( <i>tick this box if you have applied to the First-tier Tribunal for Scotland for an eviction order in relation to a property let on a private residential tenancy</i> ).”.
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(1) [2003 asp 10](#). Section 11 was amended by section 8(5)(a) of the Home Owner and Debtor Protection (Scotland) Act 2010 ([asp 6](#)) and section 74 and paragraph 8 of schedule 4 of the Private Housing (Tenancies) (Scotland) Act 2016 ([asp 19](#)). Section 11 is also amended by section 53 and paragraph 89 of schedule 5 of the Criminal Finances Act 2017 ([c.22](#)), however that amendment is not yet in force at the time these Regulations are made.

(2) [S.S.I. 2008/324](#), as amended by [S.S.I. 2010/251](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
12th September 2017

*KEVIN STEWART*  
Authorised to sign by the Scottish Ministers

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Notice to Local Authorities (Scotland) Regulations 2008 (“the 2008 Regulations”) prescribe the form of notice to be given under section 11(1) of the Homelessness etc. (Scotland) Act 2003 (“the 2003 Act”) and various other enactments listed in section 11(5) of that Act.

These Regulations amend the 2008 Regulations to prescribe the form of notice for the purposes of section 56(1) of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”).

Section 56(1) of the 2016 Act provides that where a landlord makes an application to the First-tier Tribunal for Scotland for an eviction order against a tenant under a private residential tenancy, the landlord must give notice to the relevant local authority. Section 56(2) of the 2016 Act requires that such notice is given in the form prescribed under section 11(3) of the 2003 Act.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.