

2017 No. 329

HOUSING

**The Housing (Scotland) Act 2014 (Consequential Provisions)
Order 2017**

<i>Made</i>	- - - -	<i>5th October 2017</i>
<i>Laid before the Scottish Parliament</i>		<i>6th October 2017</i>
<i>Coming into force</i>	- -	<i>1st December 2017</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 102(1) of the Housing (Scotland) Act 2014(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Housing (Scotland) Act 2014 (Consequential Provisions) Order 2017 and comes into force on 1st December 2017.

Amendment of the Tenancy Deposit Schemes (Scotland) Regulations 2011

2.—(1) The Tenancy Deposit Schemes (Scotland) Regulations 2011(b) are amended in accordance with paragraphs (2) to (4).

(2) In Part 2 (sanctions), for the heading “Court orders” substitute “First-tier Tribunal orders”.

(3) In regulation 9—

(a) in paragraph (1), for “sheriff” substitute “First-tier Tribunal”; and

(b) in paragraph (2), omit “by summary application and must be made”.

(4) In regulation 10, for “sheriff”, in both places where it appears, substitute “First-tier Tribunal”.

ANNABELLE EWING

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
5th October 2017

(a) 2014 asp 14.
(b) S.S.I. 2011/176.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes consequential provision for the purposes of the Housing (Scotland) Act 2014 (“the Act”). Section 16(1) of the Act transferred the functions and jurisdiction of the sheriff to the First-tier Tribunal for Scotland in relation to actions arising from regulated tenancies (within the meaning of section 8 of the Rent (Scotland) Act 1984), Part VII contracts (within the meaning of section 63 of that Act) and assured tenancies (within the meaning of section 12 of the Housing (Scotland) Act 1988).

Article 2 makes amendments to the Tenancy Deposit Schemes (Scotland) Regulations 2011, consequential to the transfer of functions and jurisdiction of the sheriff to the First-tier Tribunal for Scotland.

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

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