
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 346

**The Private Housing (Tenancies) (Scotland) Act
2016 (Commencement No. 3, Amendment, Saving
Provision and Revocation) Regulations 2017**

Saving provision

6. Despite the amendments made by section 75 and paragraphs 1, 2 and 3 of schedule 5 of the 2016 Act, sections 12, 32(1) and 33(2) of the 1988 Act have effect on and after 1st December 2017 as they had effect immediately before that date but only in relation to—

- (a) a short assured tenancy (within the meaning given in section 32(1) of the 1988 Act) which was created before 1st December 2017 and continues in existence on that date;
- (b) a new contractual tenancy (within the meaning given in section 32(3)(b) of the 1988 Act) which came into being before 1st December 2017 and continues in existence on that date; and
- (c) a new contractual tenancy (within the meaning given in section 32(3)(b) of the 1988 Act) which comes into being on or after 1st December 2017 at the ish of a short assured tenancy which is a short assured tenancy in a case mentioned in paragraph (a) or (b).

-
- (1) Section 32 is amended by paragraph 2(2) of schedule 5 of the 2016 Act. Paragraph 2(2) of schedule 5 of the 2016 Act comes into force on 1st December 2017 by virtue of these Regulations.
- (2) Section 33 was previously amended by section 34 of the Private Rented Housing (Scotland) Act 2011 ([asp 14](#)) and paragraph 44 of schedule 1 of the Housing (Scotland) Act 2014 ([asp 14](#)). The amendment made by paragraph 44 of schedule 1 of that Act comes into force on 1st December 2017 by virtue of [S.S.I. 2017/330](#). Section 33 is further amended by paragraph 2(3) of schedule 5 of the 2016 Act. Paragraph 2(3) of schedule 5 of the 2016 Act comes into force on 1st December 2017 by virtue of these Regulations.