

These notes relate to the Private Housing (Tenancies) (Scotland) Act 2016 (asp 19) which received Royal Assent on 22 April 2016

PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016

EXPLANATORY NOTES

STRUCTURE AND SUMMARY OF THE ACT

Schedule 1 – Tenancies Which Cannot Be Private Residential Tenancies

111. **Schedule 1** outlines the types of tenancies which cannot be private residential tenancies. In broad terms, these are: tenancies where the rent is less than £6 per week; a shop; licensed premises; agricultural land; student accommodation provided by a university, other educational institution or an institutional provider of student accommodation; a holiday let; accommodation where the landlord is resident from the outset of and throughout the tenancy; police housing; military housing; social housing (including sublets and assignments); accommodation for a homeless person provided under Part II of the Housing (Scotland) Act 1987; accommodation for an offender provided under the Social Work (Scotland) Act 1968; accommodation for an asylum seeker provided under section 4 or Part VI of the Immigration and Asylum Act 1999; accommodation under the Displaced Persons (Temporary Protection) Regulations 2005; a shared ownership tenancy; a protected tenancy under the Rent (Scotland) Act 1984 (“the 1984 Act”); a tenancy to which Part VI of the 1984 Act applies; a Part VII contract under the 1984 Act; and an assured tenancy within the meaning of the 1988 Act.