



# Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

## PART 5

### TERMINATION

#### CHAPTER 3

##### TERMINATION AT LANDLORD'S INSTIGATION

###### *Sub-tenancies*

#### **61 Sub-tenancy notice to leave**

- (1) In addition to giving a tenant a notice to leave, a landlord (“the superior landlord”) may give to anyone who holds a tenancy directly or indirectly from the superior landlord’s tenant a sub-tenancy notice to leave.
- (2) In the event that a person to whom a sub-tenancy notice to leave has been given becomes a tenant of the superior landlord by virtue of section 46(2), references in this Part to a notice to leave are to be read as references to the copy of the notice to leave which, in accordance with subsection (3), forms part of the sub-tenancy notice to leave.
- (3) A sub-tenancy notice to leave is a notice which—
  - (a) incorporates the notice to leave given to the superior landlord’s tenant, and
  - (b) fulfils any other requirements prescribed by the Scottish Ministers in regulations.
- (4) In a case where two or more persons jointly are the landlord under a tenancy, a sub-tenancy notice to leave may be given by any one of those persons.

#### **Commencement Information**

**II** S. 61(1)(2)(4) in force at 1.12.2017 by [S.S.I. 2017/346](#), [reg. 2](#), [sch.](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Cross Heading: Sub-tenancies. (See end of Document for details)*

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| <b>I2</b> | S. 61(3) in force at 31.10.2016 for specified purposes by <a href="#">S.S.I. 2016/298, reg. 2, sch.</a>           |
| <b>I3</b> | S. 61(3) in force at 1.12.2017 in so far as not already in force by <a href="#">S.S.I. 2017/346, reg. 2, sch.</a> |

**Changes to legislation:**

There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Cross Heading: Sub-tenancies.