



# Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

## PART 9

### FINAL PROVISIONS

#### 77 Regulation-making powers

- (1) A power to make regulations conferred by this Act includes the power to make different provision for different purposes.
- (2) Regulations under section 17(3), 22(2)(b), 61(3)(b) or 62(1)(d) prescribing requirements which must be fulfilled by a notice may in particular require that a notice—
  - (a) contain information specified in the regulations,
  - (b) be in a form specified in the regulations,
  - (c) be given in a manner specified in the regulations.
- (3) Regulations under sections 6, 7, 11, 12, <sup>[F1]</sup>[<sup>F2</sup>33ZA] 37 and 41 <sup>[F3]</sup>and paragraph 12(4) (b) of schedule 3] are subject to the affirmative procedure.
- (4) Regulations under sections 17, 22, 24, 34, 43, 61 and 62 are subject to the negative procedure.

#### Textual Amendments

- F1** Word in s. 77(3) inserted (temp.) (28.10.2022) by virtue of [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(asp 10\)](#), s. 13(1), [sch. 3 para. 1\(3\)](#) (with s. 11)
- F2** Word in s. 77(3) (which is treated as temp. inserted) substituted (31.3.2023) by virtue of [The Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(Incidental Provision\) Regulations 2023 \(S.S.I. 2023/116\)](#), regs. 1(2), [2\(3\)](#)
- F3** Words in s. 77(3) inserted (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(asp 8\)](#), [ss. 46\(3\)](#), 59(1) (with s. 48(1))

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*Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 77. (See end of Document for details)*

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**Modifications etc. (not altering text)**

- C1** S. 77(3) modified (temp.) (28.10.2022) by [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(asp 10\)](#), s. 13(1), [sch. 1 para. 1\(1\)\(20\)](#) (with ss. 1(2), 6, 7, 8) (as amended: (1.4.2023) by [S.S.I. 2023/82](#), regs. 1(3), [2\(2\)](#)); and (27.9.2023) by [S.S.I. 2023/275](#), regs. 1(2), [2\(2\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 77.