



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 4

TENANCIES

Saving and transitional provision

49 Tenancies: transitional provision

- (1) The 2020 Regulations continue in force (despite regulation 1 of those Regulations and the expiry of paragraphs 4 and 5 of schedule 1 of the [2020 \(No.2\) Act](#)).
- (2) They are deemed to have been made under the powers conferred by section 18(4A)(b) of the 1988 Act and paragraph 12(4)(b) of schedule 3 of the 2016 Act.
- (3) In the 2020 Regulations—
 - (a) references to the pre-action requirements are to be read as references to the pre-action protocol,
 - (b) the reference in regulation 3 to section 18(3C) is to be read as a reference to section 18(4A)(b),
 - (c) the reference in regulation 4 to paragraph 12(3B) is to be read as a reference to paragraph 12(4)(b).
- (4) Nothing in this section affects the 2020 Regulations insofar as they continue to apply by virtue of section 48.
- (5) In this section—
 - “the 1988 Act” means the Housing (Scotland) Act 1988,
 - “the 2016 Act” means the Private Housing (Tenancies) (Scotland) Act 2016,
 - “the [2020 \(No.2\) Act](#)” means the Coronavirus (Scotland) (No.2) Act 2020,
 - “the 2020 Regulations” means the Rent Arrears Pre-Action Requirements (Coronavirus) (Scotland) Regulations 2020 ([S.S.I. 2020/304](#)).