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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**The Energy Efficiency (Domestic Private Rented Property) (Scotland) Regulations 2020**

**PART 3**

**Exemptions**

**PRS Exemptions Register**

**14.**—(1) A local authority, in respect of domestic PR properties in its area, must establish and maintain a register (a “PRS Exemptions Register”)—

- (a) of information submitted in accordance with paragraph (4) or regulations 8(1) or (3) or 17(2),
- (b) from which the Scottish Ministers and enforcement authorities may, free of charge, access information registered on it, and held on it, as necessary to enable them to carry out their functions under these Regulations.

(2) The local authority must make the information specified in paragraph (3) available for inspection free of charge.

(3) The information is the following information relating to any domestic PR property, which has been registered in accordance with paragraph (4)—

- (a) the address and post code of the property,
- (b) the exemption relied on,
- (c) a copy of the valid energy performance certificate for the property,
- (d) the date on which information was submitted for registration in accordance with paragraph (4).

(4) In any case where a landlord of a sub-standard domestic PR property wishes to rely on one or more of the exemptions provided for in regulations 10(1), 11(1), 12(1) and 13(1) in respect of the letting, or continued letting, of that property, the landlord must submit the relevant information for registration on the PRS Exemptions Register.

(5) In this Part, “relevant information” is—

- (a) in all cases—
  - (i) the landlord registration number of the landlord<sup>(1)</sup>,
  - (ii) the address and postcode of the domestic PR property, and
  - (iii) a copy of the valid energy performance certificate for the property,
- (b) in respect of the regulation on which the landlord wishes to rely, the information relating to that regulation set out in schedule 2.

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(1) “landlord registration number” is defined by section 84(5A) of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8) introduced by section 3(1) of the Private Rented Housing (Scotland) Act 2011 (asp 14).

