

SCHEDULE 1

Excluded accommodation and tenancies

Excluded tenancies

2. An excluded tenancy means a tenancy which falls within any of the following definitions—
- (a) a protected tenancy (within the meaning of section 1 of the Rent (Scotland) Act 1984⁽¹⁾),
 - (b) an assured tenancy (within the meaning of section 1 of the 1988 Act),
 - (c) a short assured tenancy (within the meaning of section 32 of the 1988 Act),
 - (d) a tenancy of a croft (within the meaning of section 3 the 1993 Act),
 - (e) a tenancy of a holding situated outwith the crofting counties (within the meaning of section 61 of the 1993 Act) to which any provisions of the Small Landholders (Scotland) Acts 1886 to 1931⁽²⁾ applies,
 - (f) a Scottish secure tenancy (within the meaning of section 11 of the 2001 Act),
 - (g) a short Scottish secure tenancy (within the meaning of section 34 of the 2001 Act),
 - (h) a 1991 Act tenancy (within the meaning of section 1(4) of the 2003 Act),
 - (i) a limited duration tenancy (within the meaning of section 93 of the 2003 Act),
 - (j) a modern limited duration tenancy (within the meaning of section 5A of the 2003 Act),
 - (k) a short limited duration tenancy (within the meaning of section 4 of the 2003 Act),
 - (l) a tenancy under a lease under which agricultural land is let for the purpose of its being used only for grazing or mowing during some specified period of the year (as described in section 3 of the 2003 Act),
 - (m) a private residential tenancy (within the meaning of section 1 of the Private Housing (Tenancies) (Scotland) Act 2016⁽³⁾), or
 - (n) a student residential tenancy.

(1) 1984 c. 58.

(2) 1931 c. 44. See section 26 of the Small Landholders and Agricultural Holdings (Scotland) Act 1931. Section 26(2) was substituted by the Agricultural Holdings (Scotland) Act 1949 (c. 75), Schedule 7.

(3) 2016 asp. 19.