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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 412**

**The Housing (Scotland) Act 2014 (Commencement  
No. 6 and Transitional Provision) Order 2016**

**Transitional provision**

**3.—(1)** Despite the commencement of section 44 (offence of operating as a letting agent without registration) of the Act, it is not an offence under subsection (1) of that section for a person who is not a registered letting agent to carry out letting agency work if—

- (a) the person has, before 31st September 2018, made an application under section 30 of the Act, to be entered in the register; and
  - (b) the application has not yet been finally determined.
- (2) For the purpose of paragraph (1)(b), an application is finally determined when—
- (a) the applicant is entered in the register;
  - (b) it is withdrawn; or
  - (c) it is refused and either—
    - (i) the time limit for appeal against refusal expires without an appeal having been made;  
or
    - (ii) an appeal against refusal is dismissed or abandoned.