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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 192**

**PUBLIC HEALTH**

**The Coronavirus (Scotland) (No. 2) Act 2020 (Suspension:  
Termination of Student Residential Tenancy) Regulations 2022**

<i>Made</i>	- - - -	<i>30th May 2022</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>1st June 2022</i>
<i>Coming into force</i>	- -	<i>1st July 2022</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by section 8(1)(a) of the Coronavirus (Scotland) (No. 2) Act 2020<sup>(1)</sup> and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Coronavirus (Scotland) (No. 2) Act 2020 (Suspension: Termination of Student Residential Tenancy) Regulations 2022 and come into force on 1 July 2022.

(2) In these Regulations, “the Act” means the Coronavirus (Scotland) (No. 2) Act 2020.

**Suspension of provisions of the Coronavirus (Scotland) (No. 2) Act 2020**

2. The operation of the following provisions of schedule 1 of the Act is suspended—
- (a) paragraph 1(2) (interpretation of this part),
  - (b) paragraph 2 (tenant’s ability to bring tenancy to an end),
  - (c) paragraph 3(3) (requirements for notice to be given by tenant).

**Saving provision**

3.—(1) The suspension of the operation of provisions of schedule 1 of the Act made by regulation 2 does not apply in relation to relevant notices given before regulation 2 comes into force.

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(1) [2020 asp 10](#) as amended by the Coronavirus (Extension and Expiry) (Scotland) Act [2021 \(asp 19\)](#).  
(2) Paragraph 1(3) was amended by section 8(8) the Coronavirus (Extension and Expiry) (Scotland) Act [2021 \(asp 19\)](#).  
(3) Paragraph 3(2)(b)(i), 3(3) and 3(4) expired on 30 September 2021, and paragraph 3(2)(b)(ii) was amended, by section 2(8) (a) of the Coronavirus (Extension and Expiry) (Scotland) Act [2021 \(asp 19\)](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(2) In this regulation, “relevant notice” means a notice given under paragraph 2 of schedule 1 of the Act.

St Andrew’s House,  
Edinburgh  
30th May 2022

*JAMIE HEPBURN*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 2 suspends the operation of those parts of paragraphs 1, 2 and 3 of schedule 1 of the Coronavirus (Scotland) (No. 2) Act 2020 (the “Act”) which have not already expired.

Paragraph 1 of schedule 1 defines a student residential tenancy as one which meets the conditions in paragraph 5(1) of schedule 1 of the Private Housing (Tenancies) (Scotland) Act 2016.

Paragraph 2 enables a person with a student residential tenancy to terminate the accommodation agreement with their landlord where certain requirements are met.

Paragraph 3 sets out the requirements that a notice to terminate a student residential tenancy requires to meet and the minimum notice period that applies. For a notice to be valid it must be in writing and it must state the day on which the tenancy is to end, which must be a day that is after the last day of the minimum notice period. The minimum notice period that applies is 28 days.

The suspension means that these provisions no longer have effect but are capable of being revived by regulations made under section 8 of the Act.

Regulation 3 makes saving provision.

A Business and Regulatory Impact Assessment has been prepared and is available online at [www.legislation.gov.uk](http://www.legislation.gov.uk).