

SCHEDULE 4

Article 8

Consequential amendments

Antisocial Behaviour etc. (Scotland) Act 2004

1.—(1) Section 83 (application for registration) of the Antisocial Behaviour etc. (Scotland) Act 2004⁽¹⁾ is amended in accordance with this paragraph.

(2) In subsection (6)—

- (a) omit “or “ from the end of paragraph (l),
- (b) at the end of paragraph (m), replace “.” with “; or”, and
- (c) after paragraph (m) insert—

“(n) the house is being used for a short-term let as defined in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022.”.

Housing (Scotland) Act 2006

2.—(1) Section 12 (tenancies to which repairing standard duty applies) of the Housing (Scotland) Act 2006⁽²⁾ is amended in accordance with this paragraph.

(2) In subsection (1)(f), after “holiday” insert “unless the tenancy is a short-term let”.

(3) After subsection (2), insert—

“(3) For the purposes of this Chapter, a short-term let is a type of tenancy (and the terms landlord, let and tenant are to be construed accordingly).

(4) In this section, a short-term let has the same meaning as in article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022.”.

Private Housing (Tenancies) (Scotland) Act 2016

3.—(1) Schedule 1 (tenancies which cannot be private residential tenancies) of the Private Housing (Tenancies) (Scotland) Act 2016⁽³⁾ is amended in accordance with this paragraph.

(2) In paragraph 6 (holiday let), the existing words become sub-paragraph (1).

(3) After that sub-paragraph insert—

“(2) A tenancy cannot be a private residential tenancy if it is a short-term let within the meaning of article 3 of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022.”.

(1) 2004 asp 8. Section 83 was relevantly amended by S.I. 2009/33.

(2) 2006 asp 1.

(3) 2016 asp 19.