
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations expire certain provisions of the Coronavirus (Scotland) Act 2020 (“the 2020 Act”) and the Coronavirus (Scotland) (No. 2) Act 2020 (“the second Act”).

These Regulations expire the following provisions—

- paragraphs 2, 4 and 6 to 10 of schedule 1 of the 2020 Act which: firstly, modify the law on eviction notices to extend the period of grace that a landlord must allow a tenant, following the service of an eviction notice, before they can raise eviction proceedings; secondly, modify statutory forms of eviction notices; and thirdly, make provision for errors in eviction notices,
- paragraphs 11, 12 and 14 of schedule 6 of the 2020 Act which modify a provision in the Local Government (Scotland) Act 1973 by replacing a compulsory requirement for local authorities to provide hard copies or extracts of a document requested by a member of the public in their offices with a provision which allows the local authority to provide such hard copies or extracts only if it is reasonably practicable to do so,
- paragraphs 6 and 7 of schedule 7 of the 2020 Act which provide that section 4 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 has effect to require a notice period of 14 weeks (rather than 14 days) to be given to a tenant before a landlord may terminate a commercial lease for non-payment of rent or other sums due under the lease,
- paragraph 14 of schedule 4 of the second Act which modifies schedule 1 of the Council Tax (Exempt Dwellings) (Scotland) Order 1997 ([S.I. 1997/728](#)) by creating an exemption from paying council tax in respect of those properties that were occupied by one of the groups of individuals listed at paragraphs 10 and 12 of the Order, and which are unoccupied on or after 17 March 2020 for a reason relating to coronavirus.

Regulation 4 makes saving provision to preserve certain provisions of schedule 1 of the 2020 Act as they have effect immediately before 30 March 2022 (schedule 1 has been modified by [S.S.I. 2020/270](#)) for the purposes of eviction notices served prior to 30 March 2022. This ensures that the notice periods applicable to eviction notices served prior to 30 March 2022 will continue to apply to those notices after the relevant provisions of schedule 1 have been expired.

Regulation 5 makes transitional provision to provide for the scenario where an eviction notice has been served by the landlord prior to 30 March 2022 (“the existing notice”), the notice period for which has not yet expired, and a further eviction notice (“the new notice”) is then served by the landlord on or after 30 March 2022. Where the new notice contains any of the grounds of eviction contained in the existing notice, the notice period for the new notice cannot expire earlier than the notice period for the existing notice.

An impact assessment has not been produced for this instrument.