

2025 No. 29

HOUSING

**The Cost of Living (Tenant Protection) (Saving Provision)
(Scotland) Regulations 2025**

Made - - - - *5th February 2025*

Laid before the Scottish Parliament *7th February 2025*

Coming into force - - *31st March 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 12(1) of the Cost of Living (Tenant Protection) (Scotland) Act 2022^(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Cost of Living (Tenant Protection) (Saving Provision) (Scotland) Regulations 2025 and come into force on 31 March 2025.

(2) In these Regulations—

“the 1988 Act” means the Housing (Scotland) Act 1988^(b),

“the 2016 Act” means the Private Housing (Tenancies) (Scotland) Act 2016^(c).

Saving provision

2. Despite the expiry of section 10 and schedule 3 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 in accordance with section 11 of that Act^(d) and the Cost of Living (Tenant Protection) (Scotland) Act 2022 (Expiry of Section 10: Extension) Regulations 2024^(e), the Rent Adjudication (Temporary Modifications) (Scotland) Regulations 2024^(f) continue in effect in relation to—

- (a) a referral to a rent officer made prior to 1 April 2025, in accordance with section 24(1) of the 2016 Act, in relation to a rent-increase notice given in accordance with section 22(1) of that Act,
- (b) an appeal to the First-tier Tribunal made in accordance with section 28(1) of the 2016 Act against an order of a rent officer made in relation to a referral described in paragraph (a),

(a) 2022 asp 10.

(b) 1988 c. 43.

(c) 2016 asp 19.

(d) Schedule 3 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 asp 10 (“the 2022 Act”) is given effect to by section 10 of the 2022 Act. Section 10, and by extension schedule 3, of the 2022 Act, will expire at the end of 31 March 2025, in accordance with section 11(1) of that Act read alongside The Cost of Living (Tenant Protection) (Scotland) Act 2022 (Expiry of Section 10: Extension) Regulations 2024 (S.S.I. 2024/88). The Rent Adjudication (Temporary Modifications) (Scotland) Regulations 2024 (S.S.I. 2024/89) were made under powers conferred by schedule 3 of the 2022 Act and will therefore cease to have effect on 31 March 2025 but for these Regulations.

(e) S.S.I. 2024/88.

(f) S.S.I. 2024/89.

- (c) a referral to the First-tier Tribunal made prior to 1 April 2025, in accordance with section 24(3)(a) of the 1988 Act^(a), in relation to a notice proposing a new rent served in accordance with section 24(1) of the 1988 Act^(b),
- (d) an appeal to the Upper Tribunal made in accordance with section 46 of the Tribunals (Scotland) Act 2014^(c) against an order of the First-tier Tribunal made in relation to a referral described in paragraph (c).

PAUL MCLENNAN

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
5th February 2025

(a) Section 24(3)(a) was relevantly amended by S.S.I. 2016/337.
(b) Section 24(1) was amended by paragraph 100(a) of schedule 11 of the Local Government and Housing Act 1989 (c. 42).
(c) 2014 asp 10.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 10, and schedule 3, of the Cost of Living (Tenant Protection) (Scotland) Act 2022 (“the 2022 Act”) will expire at the end of 31 March 2025 by virtue of section 11 of the 2022 Act read alongside the Cost of Living (Tenant Protection) (Scotland) Act 2022 (Expiry of Section 10: Extension) Regulations 2024. The Rent Adjudication (Temporary Modifications) (Scotland) Regulations 2024 (“the 2024 Regulations”) were made under powers created by schedule 3 of the 2022 Act and will therefore cease to have effect at the end of 31 March 2025.

The 2024 Regulations temporarily modify how rent in relation to a private residential tenancy is determined on referral by a tenant to a rent officer (or on subsequent appeal to the First-tier Tribunal for Scotland) under the Private Housing (Tenancies) (Scotland) 2016 Act. They also change how rent in relation to statutory assured tenancies is determined under section 25 of the Housing (Scotland) Act 1988 on referral to the First-tier Tribunal (or on subsequent appeal to the Upper Tribunal).

These Regulations ensure that the 2024 Regulations continue to have effect in relation to referrals made to the rent officer or First-tier Tribunal before 1 April 2025 and any subsequent appeals in connection with such referrals.

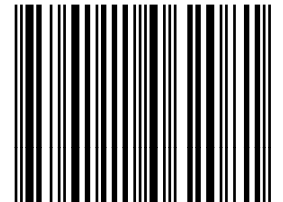
© Crown copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King’s Printer for Scotland.

£5.78

<http://www.legislation.gov.uk/id/ssi/2025/29>

ISBN 978-0-11-106208-1



9 780111 062081