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## EXPLANATORY NOTE

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

Section 104 of the Housing (Scotland) Act 2006 (“the 2006 Act”) permits the Scottish Ministers to prescribe documents which must be made available to potential buyers of a house.

In this Order a prescribed survey report is a document prescribed under section 104(1) of the 2006 Act which contains information both about the physical condition of a house and its value.

Article 3 of this Order provides for liability on the part of the person who prepared the report to the buyer of the house.

Article 4 provides an additional ground of jurisdiction in claims for damages under article 3. A person domiciled in any part of the United Kingdom may be sued in Scotland. Where there are proceedings in Scotland, article 5 allows a person to be sued in the courts for the place where the house is situated.

Articles 2 and 3 extend to Scotland only. Otherwise the Order has UK extent.

Article 6 provides for the name of rent assessment committees to be amended to private rented housing committees in the list of Disqualifying Offices in Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975. The name of the committees was changed by section 21 of the 2006 Act.