

POLICY NOTE

THE TENANT INFORMATION PACKS (ASSURED TENANCIES) (SCOTLAND) AMENDMENT ORDER 2013

SSI 2013/90

1. The above instrument was made in exercise of the powers conferred by section 30B(1) of the Housing (Scotland) Act 1988 (“the 1988 Act”; sections 30A and 30B of the 1988 Act were inserted by section 33 of the Private Rented Housing (Scotland) Act 2011). The instrument is subject to negative procedure.

2. Section 30A of the 1988 Act requires a landlord under an assured tenancy to provide a tenant with specified “standard tenancy documents”. This Order amends the Tenant Information Packs (Assured Tenancies) (Scotland) Order 2013 (SSI 2013/20) to provide an amended version of the Tenant Information Pack as set out in the Schedule to that Order.

Background

3. After SSI 2013/20 was made it came to the attention of the Scottish Government that certain parts of the Tenant Information Pack should be revised to ensure that it provides a clear summary of current legislation, or a particular organisation’s policy position. This Amendment Order inserts an amended schedule into SSI 2013/20. The amendment will come into force ahead of commencement of SSI 2013/20 coming into force on 1 May 2013.

Policy Objectives

4. The policy objective of SSI 2013/20 is to improve the accessibility of information available to tenants. The policy contributes to the Scottish Government’s work on improving standards and quality within the Scottish private rented sector. The objective also fits with the Scottish Government’s strategic ‘Safer and Stronger Scotland’ objective, which helps local communities to flourish, becoming stronger, safer places to live, offering improved opportunities and better quality of life.

5. The main objective in making this Amendment Order is to ensure that tenants receive a clear, accurate and up-to-date Tenant Information Pack that will contribute towards ensuring that the private rented sector provides good quality and well managed accommodation - where both landlords and tenants understand their respective rights and responsibilities.

6. It is recognised that good information may already be available to tenants and the Tenant Information Pack is not intended to replace this, but to provide a minimum standard of information available across the whole sector.

Consultation

7. To comply with the requirements of section 30B(2) of the 1988 Act, the Scottish Government held a focused consultation on the minor changes to the Tenant Information Pack effected by this Amendment Order.

8. The consultation took place between 12-19 February 2013, and involved tenant, landlord and letting agent representatives as well as the Electrical Safety Council.

Impact Assessments

9. As this Order makes only minor changes to the Tenant Information Pack the Equality Impact Assessment undertaken for SSI 2013/20 is applicable to this Order.

Financial Effects

10. A regulatory impact assessment is not considered necessary because the change made by this Order are expected to have no financial impact on Scottish businesses.

Scottish Government

Directorate for Housing, Regeneration and Welfare

March 2013