

POLICY NOTE

THE HOUSING (SCOTLAND) ACT 2014 (COMMENCEMENT NO. 4 AND AMENDMENT) ORDER 2015

SSI 2015/349 (C. 43)

The above instrument was made in exercise of the powers conferred by section 104(3) of the Housing (Scotland) Act 2014 (“the 2014 Act”). It is laid under section 30 of the Interpretation and Legislative Reform (Scotland) Act 2010.

Policy Objectives

This instrument amends The Housing (Scotland) Act 2014 (Commencement No. 3 and Transitional Provision) Order 2015 and introduces phased commencement of section 25(1)(a) of the 2014 Act which enables third party applications to be made to the Private Rented Housing Panel (“the PRHP”).

The instrument specifies three appointed dates for the commencement of section 25(1)(a) for the purposes of applications from specified local authorities. The local authorities who will be able to make applications to the PRHP from 1st December 2015 are Dumfries and Galloway Council, Dundee City Council and Glasgow City Council. A further 15 local authorities (as specified in the instrument) will be able to make applications from 1st April 2016 and the remaining local authorities will be able to make applications from 1st June 2016.

The President of the PRHP has highlighted the need to recruit additional panel members to deal with applications resulting from third party applications. The amendments introduced by this instrument will assist the President in managing an increase in caseload due to third party applications whilst further recruitment takes place.

Consultation

During 2012, the Scottish Government carried out a series of policy consultations which informed the drafting of the Housing Bill.

Full details of the consultations on the Housing Bill are available on the Scottish Government website at:

<http://www.scotland.gov.uk/Topics/Built-Environment/Housing/reform/housing-bill/stakeholderengagement>

Consultation with local authorities and the President of the PRHP have helped to inform the days appointed for section 25(1)(a) to apply to individual authorities.

Impact Assessments

A full Equality Impact Assessment was carried out on the Bill as introduced on 21 November 2013. The impact assessment along with those produced for the individual policy areas that are in the 2014 Act can be found at:

<http://www.scotland.gov.uk/Topics/Built-Environment/Housing/reform/housing-bill/impact>

Financial Effects

A full Business and Regulation impact assessment was carried out on the Bill as introduced on 21 November 2013. The impact assessment, along with those produced for the individual policy areas that are in the 2014 Act can be found at:

<http://www.scotland.gov.uk/Topics/Built-Environment/Housing/reform/housing-bill/impact>

<http://www.scotland.gov.uk/publications/2011/04/Impactassessment>.

Updated impact assessments will be completed and published when draft regulations under 28B(1) are laid before the Scottish Parliament.

Scottish Government

Housing, Regeneration & Welfare Directorate

8 October 2015