
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prevent, except in specified circumstances, attendance at a dwelling house for the purpose of serving a charge for removing or executing a decree for removing from heritable property (giving notice of or carrying out eviction order in relation to a residential tenancy of a dwelling house).

The specified circumstances are where possession of the dwelling house is sought on the basis of nuisance, annoyance or conviction for using or allowing the dwelling-house to be used for immoral or illegal purposes, anti-social behaviour, certain convictions or association with a person who has relevant convictions or a person who has engaged in relevant anti-social behaviour.

The Scottish Secure Tenancies (Repossession Orders) (Maximum Period) Order 2012 prescribes the maximum period (6 months) for which a landlord's right to recover possession of a house in pursuance of a court order under section 16(2) of the Housing (Scotland) Act 2001 is to have effect. Regulation 3 provides that the period for which regulation 2 is in force does not count towards this maximum period.

Regulation 2 expires on 22 January 2021.

No impact assessment has been prepared for these Regulations.