



Rent (Scotland) Act 1984

1984 CHAPTER 58

PART IV

RENTS UNDER REGULATED TENANCIES

[^{F1}37A. Extension of time limits for recovery from landlord: cross-border mediation

- (1) The two year period calculated in relation to a relevant cross-border dispute for the purposes of section 37(3) above is extended where it would, apart from this subsection, expire—
 - (a) in the 8 weeks after the date that a mediation in relation to the dispute ends;
 - (b) on the date that a mediation in relation to the dispute ends; or
 - (c) after the date when all of the parties to the dispute agree to participate in a mediation in relation to the dispute but before the date that such mediation ends.
- (2) Where subsection (1) applies, the period is extended so that it expires on the date falling 8 weeks after the date on which the mediation ends.
- (3) For the purpose of this section, mediation in relation to a relevant cross-border dispute ends when any of the following occurs—
 - (a) all of the parties reach an agreement in resolution of the dispute;
 - (b) all of the parties agree to end the mediation;
 - (c) a party withdraws from the mediation, which is the date on which—
 - (i) a party informs all of the other parties of that party's withdrawal,
 - (ii) in the case of a mediation involving 2 parties, 14 days expire after a request made by one party to the other party for confirmation of whether the other party has withdrawn, if the other party does not respond in that period, or
 - (iii) in the case of a mediation involving more than 2 parties, a party informs all of the remaining parties that the party received no response in the 14 days after a request to another party for confirmation of whether the other party had withdrawn; or

Status: Point in time view as at 06/04/2011. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Rent (Scotland) Act 1984, Section 37A. (See end of Document for details)

- (d) a period of 14 days expires after the date on which the mediator’s tenure ends (by reason of death, resignation or otherwise), if a replacement mediator has not been appointed.

(4) In this section—

“the Directive” means Directive [2008/52/EC](#) of the European Parliament and of the Council of 21st May 2008 on certain aspects of mediation in civil and commercial matters;

“mediation” and “mediator” have the meanings given by Article 3 of the Directive; and

“relevant cross-border dispute” means a cross-border dispute within the meaning given by Article 2 of the Directive which is about an amount referred to in section 37(1) above.]

Textual Amendments

F1 [S. 37A](#) inserted (6.4.2011) by [The Cross-Border Mediation \(Scotland\) Regulations 2011 \(S.S.I. 2011/234\)](#), regs. 1(1), **8(3)** (with reg. 1(2)(3))

Status:

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