SCOTTISH STATUTORY INSTRUMENTS

2025 No. 400 (C. 33)

LANDLORD AND TENANT

The Domestic Abuse (Protection) (Scotland) Act 2021 (Commencement No. 1) Regulations 2025

Made - - - -	*16th December 2025*
Laid before the Scottish Parliament	*18th December 2025*
Coming into force - -	*1st August 2026*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 24(2) of the Domestic Abuse (Protection) (Scotland) Act 2021(**a**).

Citation and commencement

1. These Regulations may be cited as the Domestic Abuse (Protection) (Scotland) Act 2021 (Commencement No. 1) Regulations 2025 and come into force on 1 August 2026.

Appointed day

2. 1 August 2026 is the day appointed for the coming into force of the following provisions of the Domestic Abuse (Protection) (Scotland) Act 2021—

(a) sections 2 and 3 for the purposes of Part 2,

(b) section 22.

MAIRI MCALLAN
A member of the Scottish Government

St Andrew's House,
Edinburgh
16th December 2025

(**a**) 2021 asp 16.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force, on 1 August 2026, sections 2, 3 and 22 of the Domestic Abuse (Protection) (Scotland) Act 2021 ("the Act"). Sections 2 and 3 are commenced for the purposes of Part 2 of the Act. Section 2 of the Act provides a meaning of "abusive behaviour" for the purposes of Part 1 of the Act, and section 3 provides additional clarification as to what behaviour constitutes "abusive behaviour". The description in section 3 is non-exhaustive.

Section 22 of the Act amends sections 14 and 16 and schedule 2 of the Housing (Scotland) Act 2001 (asp 10, "the 2001 Act"). Section 22(4) inserts paragraph 15A into schedule 2 of the 2001 Act, creating a new ground on which the landlord under a Scottish secure tenancy may raise court proceedings under section 14 of the 2001 Act. The definitions in sections 2 and 3 of the Act are cross-referenced in the new paragraph 15A.

On this new ground, the landlord may raise proceedings either: for recovery of possession of the house (in the case of a sole tenant), or for termination of the tenant's interest in the tenancy (in the case of a joint tenant).

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