SCOTTISH STATUTORY INSTRUMENTS

2018 No. 253 (C. 18)

HOUSING

The Housing (Amendment) (Scotland) Act 2018 (Commencement and Savings Provisions) Regulations 2018

Made - - - -	*16th August 2018*
Laid before the Scottish Parliament	*20th August 2018*
Coming into force - -	*6th September 2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 11(2) and (3) of the Housing (Amendment) (Scotland) Act 2018(**a**) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing (Amendment) (Scotland) Act 2018 (Commencement and Savings Provisions) Regulations 2018 and come into force on 6th September 2018.

(2) In these Regulations—

"the Act" means the Housing (Amendment) (Scotland) Act 2018;

"the 2010 Act" means the Housing (Scotland) Act 2010(**b**);

"officer" has the meaning given in section 165 of the 2010 Act;

"registered society" has the meaning given in section 165 of the 2010 Act;

"Regulator" means the Scottish Housing Regulator; and

"responsible individual" has the meaning given by section 165 of the 2010 Act.

Appointed days

2.—(1) The day appointed for the coming into force of sections 8 to 10 of the Act is 6th September 2018.

(2) The day appointed for the coming into force of sections 1 to 7 of the Act is 8th March 2019.

Savings provisions: sections 2, 3, 5 and 6 of the Act

3. The amendment of section 60(1) of the 2010 Act by section 2(2) of the Act has no effect in relation to the removal of an officer where notice was given by the Regulator under section 60(2) of the 2010 Act before 8th March 2019.

(**a**) 2018 asp 13.
(**b**) 2010 asp 17.

4. The amendment of section 61(1) of the 2010 Act by section 2(3) of the Act has no effect in relation to the suspension of a responsible individual where notice was given by the Regulator under section 61(2) of the 2010 Act before 8th March 2019.

5. The amendment of section 62(1) of the 2010 Act by section 2(4) of the Act has no effect in relation to the removal of a responsible individual where notice was given by the Regulator under section 62(2) of the 2010 Act before 8th March 2019.

6. The substitution of section 107 of the 2010 Act by section 3(3) of the Act has no effect in relation to the disposal of land or assets where consent was given by the Regulator under section 107(2) of the 2010 Act before 8th March 2019.

7. The repeal of sections 94 and 95 of the 2010 Act by section 5(3) of the Act have no effect in relation to a change of constitution where consent was given by the Regulator under section 93 of the 2010 Act before 8th March 2019.

8. The substitution of sections 97, 98, 99, 101, 102 and 104 of the 2010 Act by section 6 of the Act has no effect in relation to the restructuring, winding up or dissolution of a registered society or to the restructuring or winding up of a company (as the case may be) where consent was given by the Regulator under the relevant section of the 2010 Act before 8th March 2019.

AILEEN CAMPBELL
A member of the Scottish Government

St Andrew's House,
Edinburgh
16th August 2018

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the coming into force of sections 1 to 10 of the Housing (Amendment) (Scotland) Act 2018 ("the Act"). The Bill for the Act received Royal Assent on 6th July 2018. Sections 11 and 12 came into force the following day.

Regulation 2 provides that sections 8 to 10 of the Act come into force on 6th September 2018 and sections 1 to 7 of the Act come into force on 8th March 2019.

Regulations 3 to 8 make savings provisions for the coming into force of the amendments in sections 2, 3, 5 and 6 of the Act.

Regulations 3 to 5 make savings provisions in relation to the coming into force of section 2 of the Act. Section 2 of the Act amends sections 60 to 62 of the Housing (Scotland) Act 2010 ("the 2010 Act"). These savings provisions provide that those amendments have no effect in relation to notices of intention to remove an officer or a responsible individual or notices to suspend a responsible individual given by the Scottish Housing Regulator ("the Regulator") before 8th March 2019.

Regulations 6 to 8 make savings provisions for the coming into force of the amendments in sections 3, 5 and 6 of the Act. These savings provisions provide that those amendments have no effect in relation to the disposal of land or assets (section 107 of the 2010 Act); the change of constitution (section 93 of the 2010 Act); or the restructuring, winding up or dissolution of a registered society or to the restructuring or winding up of a company (sections 97, 98, 99, 101, 102 and 104 of the 2010 Act) where the Regulator has given its consent to such action before 8th March 2019.

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