SCOTTISH STATUTORY INSTRUMENTS

2026 No. 113 (C. 9)

HOUSING

The Renters' Rights Act 2025 (Commencement) (Scotland) Regulations 2026

Made - - - -	*26th February 2026*
Laid before the Scottish Parliament	*2nd March 2026*
Coming into force - -	*1st May 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by sections 140(1), and 145(4) of the Renters' Rights Act 2025(**a**), and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Renters' Rights Act 2025 (Commencement) (Scotland) Regulations 2026.

(2) These Regulations come into force on 1 May 2026.

(3) In these Regulations—

"the 2016 Act" means the Private Housing (Tenancies) (Scotland) Act 2016(**b**),

"the Act" means the Renters' Rights Act 2025.

Appointed Day

2. The following provisions of the Act come into force on 1 May 2026—

(a) section 50 (discrimination relating to children or benefits status),

(b) section 51 (terms in standard securities relating to children or benefits status),

(c) section 52 (terms in insurance contracts relating to children or benefits status),

(d) section 53 (power of Scottish Ministers to protect others),

(e) section 54 (power of Secretary of State to protect others),

(f) section 55 (interpretation of Chapter 5).

(**a**) 2025 c. 26.
(**b**) 2016 asp 19.

Transitional Provision

3.—(1) Sections 6A and 6B of the 2016 Act (as inserted by section 50(2) of the Act) apply only in relation to conduct occurring on or after 1 May 2026.

(2) For the purposes of paragraph (1), conduct which began prior to 1 May 2026 and continues on or after 1 May 2026 is taken to have occurred on 1 May 2026.

MAIRI MCALLAN
A member of the Scottish Government

St Andrew's House
Edinburgh
26th February 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations commence sections 50 to 55 (Chapter 5 of Part 1) of the Renters' Rights Act 2025 ("the Act"), which make provision in relation to discrimination and discriminatory terms in the rental market in Scotland. The Act received Royal Assent on 27 October 2025 and the enabling powers for these Regulations (sections 140(1) and 145(4)) came into force on the day on which the Act was passed.

Regulation 2 appoints 1 May 2026 as the day on which Chapter 5 of Part 1 of the Act comes into force.

Section 50 of the Act creates new criminal offences relating to discrimination in the letting of residential property on the basis that a person has, or would have, a child living with or visiting them, or on the basis of a person's benefits status.

Section 50 of the Act also provides that certain discriminatory terms have no effect in private residential tenancies, assured tenancies and protected or statutory tenancies. Sections 51 and 52 make similar provision in relation to certain discriminatory terms in standard securities and contracts of insurance.

Sections 53 and 54 confer regulation-making powers on the Scottish Ministers and the Secretary of State respectively to extend the protections created by the Act for those with children and benefits claimants so that they also apply to persons of another description. Section 55 is an interpretative provision for Chapter 5.

Regulation 3 makes transitional provision in relation to the new criminal offences created by section 50(2) of the Act, providing that those offences apply only in relation to conduct occurring on or after the appointed day. Regulation 3 also provides that conduct which begins prior to the appointed day but continues on or after is deemed to have occurred on the appointed day and is thereby caught by the offences created by section 50(2). This ensures that no person is criminally liable for conduct occurring only before the commencement of Chapter 5 but criminal liability will apply to continuing conduct.

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Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

ISBN 978-0-11-106604-1

£6.40

http://www.legislation.gov.uk/id/ssi/2026/113

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