

**2012 No. 267 (C. 27)**

**HOUSING**

**The Private Rented Housing (Scotland) Act 2011  
(Commencement No. 4) Order 2012**

<i>Made</i>	- - - -	<i>2nd October 2012</i>
<i>Laid before the Scottish Parliament</i>		<i>4th October 2012</i>
<i>Coming into force</i>	- -	<i>29th November 2012</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 41(3) of the Private Rented Housing (Scotland) Act 2011(a).

**Citation and commencement**

1. This Order may be cited as the Private Rented Housing (Scotland) Act 2011 (Commencement No. 4) Order 2012 and comes into force on 29th November 2012.

**Appointed day**

2. Section 32 (premiums) of the Private Rented Housing (Scotland) Act 2011, in so far as it is not already in force, will come into force on 30th November 2012.

*MJ BURGESS*  
A member of the Scottish Government

St Andrew's House,  
Edinburgh  
2nd October 2012

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings section 32 of the Private Rented Housing (Scotland) Act 2011 (“the 2011 Act”) into force on 30th November 2012, in so far as not already in force. Section 32 amends the definition of ‘premium’ in section 90 of the Rent (Scotland) Act 1984 (“the 1984 Act”) to clarify that ‘premium’ for the purpose of Part 8 of that Act means any fine, sum or pecuniary consideration, other than the rent, and includes any service or administration fee or charge.

Section 32 also inserts a new section 89A into the 1984 Act. Section 89A empowers the Scottish Ministers to make further provision about sums which may be charged in connections with the grant, renewal or continuance of protected tenancies.

The Bill for the 2011 Act received Royal Assent on 20th April 2011. Part 5 of the Act (sections 38 to 41: general provisions) came into force the following day.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision of the 2011 Act</i>	<i>Date of Commencement</i>	<i>Instrument number</i>
Section 1	1st July 2012	S.S.I. 2012/150
Section 2	31st August 2011	S.S.I. 2011/270
Section 4(a) (partially)	31st August 2011	S.S.I. 2011/270
Section 4(a) (insofar as not already in force)	1st July 2012	S.S.I. 2012/150
Sections 4(b), 7, 10	31st August 2011	S.S.I. 2011/270
Section 13(1), (3) and (6)	31st August 2011	S.S.I. 2011/270
Section 13(2), (4) and (5)	31st January 2012	S.S.I. 2012/2
Sections 14, 15 and 16	31st August 2011	S.S.I. 2011/270
Partially, sections 17, 19 and 29	31st January 2012	S.S.I. 2012/2
Section 32(2) (partially)	31st January 2012	S.S.I. 2012/2
Section 33 (partially)	31st August 2011	S.S.I. 2011/270
Sections 34, 36 and 37	31st August 2011	S.S.I. 2011/270

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