



Housing (Scotland) Act 2006

2006 asp 1

PART 4

TENANCY DEPOSITS

121 Tenancy deposit schemes: regulatory framework

- (1) The Scottish Ministers may by regulations (“tenancy deposit regulations”)—
 - (a) set out conditions which a tenancy deposit scheme must meet before they can approve it under section 122,
 - (b) make such further provision about tenancy deposit schemes as they think fit.
- (2) Tenancy deposit regulations may, in particular—
 - (a) make provision about the manner and circumstances in which tenancy deposits must be paid, held and repaid under an approved scheme,
 - (b) impose sanctions for failing to participate in, or to comply with, an approved scheme,
 - (c) set out a mechanism for resolving disputes relating to an approved scheme,
 - (d) prescribe the type of person who may administer an approved scheme,
 - (e) authorise the Scottish Ministers to make payments, or to give guarantees or other assistance, in connection with—
 - (i) the creation, administration or operation of an approved scheme,
 - (ii) the resolution of disputes relating to an approved scheme,
 - (f) set the amount, or the maximum amount, of any fee which may be charged in connection with an approved scheme,
 - (g) prescribe arrangements for publicising approved schemes.
- (3) But tenancy deposit regulations may not—
 - (a) prescribe circumstances in which tenancy deposits must be paid under a tenancy or an occupancy arrangement,
 - (b) create offences.

Changes to legislation: There are currently no known outstanding effects for the
Housing (Scotland) Act 2006, Section 121. (See end of Document for details)

Commencement Information

II [S. 121](#) in force at 21.12.2010 by [S.S.I. 2010/436](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 121.