

PARLIAMENTARY BUREAU: APPROVAL OF SCOTTISH STATUTORY INSTRUMENTS

AFFIRMATIVE INSTRUMENTS

[Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(Amendment of Expiry Dates and Rent Cap Modification\) Regulations 2023 \(SSI 2023/Draft\)](#)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Cost of Living (Tenant Protection) (Scotland) Act 2022 (Amendment of Expiry Dates and Rent Cap Modification) Regulations 2023 (SSI 2023/Draft) be approved.

Purpose

2. To extend Part 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 (the Act) (a moratorium on eviction orders) for 6 months from the end of 31 March 2023 to the end of 30 September 2023. This SSI will also amend the rent cap for the private rented sector (from 0 to 3%) and modify the maximum permitted level of rent increase based on an application for Prescribed Property Costs (the landlord safeguard), in limited circumstances, from 3% to up to 6% of existing rent.

3. The extension of Part 1 of the Act will follow on from the expiry of provisions in the Act relating to the rent cap in the social rented sector from 26 February 2023 and the suspension of provisions relating to the rent cap in student residential sector from 30 March 2023 (university or college halls of residence or purpose-built student accommodation).

Consideration by committee

4. At its meeting on 28 February 2023, following debate, the Local Government, Housing and Planning Committee agreed by division (For 5, Against 2, Abstentions 0) to recommend that the regulations be approved. The [Committee report was published on 2 March 2023](#).

Decision

5. **Business Managers are invited note that the above motion will be lodged.**

6. **Business Managers should reserve their position if their party intends to speak against or oppose the motion.**

**Parliamentary Business Team
March 2023**