



Housing (Scotland) Act 2006

2006 asp 1

PART 4

TENANCY DEPOSITS

122 Approval of tenancy deposit schemes

- (1) The Scottish Ministers may approve a tenancy deposit scheme devised by them or by any other person.
- (2) Such an approval—
 - (a) may not be given unless tenancy deposit regulations are in force, and
 - (b) must be given in accordance with the tenancy deposit regulations then in force.
- (3) Before approving a tenancy deposit scheme, the Scottish Ministers must—
 - (a) publicise the terms of the proposed scheme in such manner as they think fit, and
 - (b) consult—
 - (i) such persons representing landlords or tenants whom they think may be affected by the proposed scheme, and
 - (ii) such other persons as they think fit, about the proposed scheme.
- (4) The Scottish Ministers must review each approved tenancy deposit scheme from time to time and may, following any such review—
 - (a) take steps to secure the revision of the reviewed scheme, or
 - (b) withdraw their approval of the reviewed scheme.
- (5) Subsections (1) to (4) apply to revised schemes in the same way as they apply to new schemes (except that that the duty imposed by subsection (3) does not apply if the Scottish Ministers think that a proposed revision is unlikely to adversely affect any person significantly).
- (6) The Scottish Ministers may approve—
 - (a) different tenancy deposit schemes for different types of tenancy or occupancy arrangement,

Status: This is the original version (as it was originally enacted).

- (b) more than one tenancy deposit scheme for the same type of tenancy or occupancy arrangement.