

2012 No. 93

HOUSING

**The Scottish Secure Tenancies (Proceedings for Possession)
(Confirmation of Compliance with Pre-Action Requirements)
Regulations 2012**

<i>Made</i>	- - - -	<i>14th March 2012</i>
<i>Laid before the Scottish Parliament</i>		<i>16th March 2012</i>
<i>Coming into force</i>	- -	<i>1st August 2012</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 14(2A)(b) of the Housing (Scotland) Act 2001^(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Scottish Secure Tenancies (Proceedings for Possession) (Confirmation of Compliance with Pre-Action Requirements) Regulations 2012 and come into force on 1st August 2012.

Form of confirmation

2. Before raising proceedings under section 14 of the Housing (Scotland) Act 2001 (proceedings for possession) where confirmation for the purposes of section 14(2A)(b) of that Act is required, the writ submitted for warrant must include a statement of claim with an averment confirming to the court that the pre-action requirements in section 14A^(b) of that Act (pre-action requirements where grounds for possession include rent arrears) have been complied with.

KEITH BROWN

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
14th March 2012

(a) 2001 asp 10; section 14(2A) was inserted by section 155(a)(i) of the Housing (Scotland) Act 2010 (asp 17).
(b) Section 14A was inserted by section 155(b) of the Housing (Scotland) Act 2010.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the form in which a landlord must confirm to the court, before raising proceedings for possession in certain cases under section 14 of the Housing (Scotland) Act 2001, that the pre-action requirements in section 14A of that Act have been complied with. The cases are those where the proceedings are to include the ground that rent lawfully due from the tenant has not been paid (as set out in paragraph 1 of schedule 2 to the Act).

The prescribed form of confirmation is contained in regulation 2.

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