

COVID-19 Recovery Committee

18th Meeting, 2022 (Session 6), Thursday 30 June 2022

Agenda item 3: Subordinate legislation

Policy Background: The Coronavirus (Scotland) (No. 2) Act 2020 (Suspension: Termination of Student Residential Tenancy) Regulations 2022 (SSI 2022/192)

1. Under agenda item 3, the Committee will be invited to consider whether it has any recommendations to make in respect of the following instrument, which is subject to the negative procedure—

- The Coronavirus (Scotland) (No. 2) Act 2020 (Suspension: Termination of Student Residential Tenancy) Regulations 2022 (SSI 2022/192)

2. On 1 June 2022, the Scottish Government laid [SSI 2022/192](#) and the regulations will come into force on 1 July 2022. As the regulations are subject to the negative procedure, they will come into force unless a motion to annul is lodged and agreed by Parliament by 13 September 2022. A motion to annul these regulations has not been laid at the time of writing.

3. According to the [policy note](#), the purpose of the instrument is as follows—

“The notice provisions in the 2020 Act were introduced as a response to the pandemic to ensure that students were not financially disadvantaged because of restrictions on face to face teaching, the move to on line learning and travel restrictions to mitigate against the spread of Covid-19, all of which meant that students could be paying for accommodation they did not require to use. The notice provisions enable students to give 28 days’ notice for the termination of a PBSA tenancy for a reason related to coronavirus.”

4. The policy note further explains that—

“The position now with regard to Covid-19 has changed significantly, with the reduced impact of the virus, the vaccination programme and the fact that most of the remaining restrictions in place have now been removed, the combined effect of which significantly reduces the need for students to leave accommodation for a reason related to coronavirus. In March 2022 officials consulted institutions and PBSA providers through the Student

Accommodation Group. The evidence from providers highlighted a significant financial impact on landlords in 20/21 and 21/22 and concern about the ongoing financial and operational impacts going forward into 22/23 if the provisions continued into the next academic year.

It has been judged that the provisions be suspended on 1st July 2022 in line with the cautious approach of the Government through and out of the pandemic and to reassure students that, should there be a change in the situation with Covid-19 over the summer, the provisions could be revived (noting that the 2020 Act in its' entirety will expire at the end of September 2022)."

5. The Scottish Government published a [Children's Rights and Wellbeing Impact Assessment](#), a [Equality Impact Assessment](#) and a [Business and Regulatory Impact Assessment](#).

Delegated Powers and Law Reform (DPLR) Committee Consideration

6. The DPLR Committee considered SSI 2022/192 at its meeting on 14 June 2022 and it had [no points to raise](#).

For Decision

7. The Committee is invited to consider whether it has any recommendations to make on the instrument.

**Committee Clerks
June 2022**