

Parliamentary Bureau – Approval of Scottish Statutory Instruments

Affirmative Instruments

Notification of Affirmative Instrument subject to expedited timetable

[Civic Government \(Scotland\) Act 1982 \(Licensing of Short-term Lets\) Amendment Order 2024 \(SSI 2024/Draft\)](#)

1. The above instrument was originally laid on 16 May 2024 and is subject to the Affirmative Procedure.
2. The purpose of the instrument is to make a number of provisions in relation to short term lets properties, including:
 - amend the definition of “commercial consideration” to make clear that provision of a service is no longer included in that definition.
 - exclude temporary placements for foster children where the accommodation is not their main residence.
 - provide clarity that licensing authorities can approve part of an application for a single licence for multiple premises on the same site.
 - exclude guest rooms within certain residential accommodation that are available for visiting residents.
 - clarify how temporary exemptions operate and set out transitional arrangements for some of the changes in this amendment order.
 - introduce provisional short-term let licences which can be applied for at the construction stage of new short-term let accommodation.
 - introduce provisions for the transfer of licences in certain circumstances.
 - update the list of information guests should have access to at the short-term let accommodation to include information about what to do if the carbon monoxide alarm sounds and warnings on mobile gas cabinet heaters.
 - tidy up drafting for consequential amendments.

[The Policy Note sets out more detail](#)

3. The scheduling of this instrument was delayed due to a minor drafting error requiring it be withdrawn and re-laid on 31 May 2024. The Delegated Powers and Law Reform Committee had raised an issue relating to an amendment made by the order to the Housing (Scotland) Act 2006, which the Scottish Government states could have resulted in unintended consequences if not resolved. The Scottish Government has requested that the instrument is taken before summer recess as some of the changes could impact on the availability of accommodation during the summer festival season. The Local Government, Housing and Planning Committee has therefore agreed to consider the

instrument and report within an expedited timescale, planning to take evidence from the Cabinet Secretary, before considering a motion on whether to recommend to Parliament that it be approved on Tuesday 25 June, in time for consideration by the whole Parliament on Wednesday 26 June.

4. Given that this will take place just prior to the Bureau meeting on 25 June, it should be possible to update at that meeting on the outcome of the Committee's consideration and confirm whether the motion to approve the instrument can be lodged and added to the Business Programme under Rule 10.6.5. The draft motion to approve the instrument will be brought back to next week's Bureau.

Parliamentary Business Team

June 2024