



Property Factors (Scotland) Act 2011

2011 asp 8

PART 2

DISPUTE RESOLUTION

General

25 Power to make further provision about applications etc.

The Scottish Ministers may by regulations make further provision about the procedure for making applications under section 17 and the making of decisions in relation to such applications.

26 Recovery of costs from property factors in relation to certain applications and orders

- (1) The Scottish Ministers may by regulations make provision about the recovery of relevant costs from property factors where—
 - (a) the president of the homeowner housing panel refers an application to a homeowner housing committee under section 18(1)(a),
 - (b) a homeowner housing committee makes a property factor enforcement order against a factor.
- (2) In this section, “relevant costs” means costs incurred by—
 - (a) the homeowner housing panel,
 - (b) the president of the panel,
 - (c) homeowner housing committees,in relation to the exercise of functions conferred by sections 16 to 25 of this Act.
- (3) Regulations under subsection (1) may in particular—
 - (a) provide for charges to be imposed on property factors,
 - (b) provide for charges to be imposed in either or both of the circumstances referred to in subsection (1),
 - (c) provide for different charges to be imposed in different cases or different classes of case,

Status: This is the original version (as it was originally enacted).

- (d) confer functions (including functions relating to the imposition and determination of charges) on—
 - (i) the homeowner housing panel,
 - (ii) the president of the panel,
 - (iii) homeowner housing committees,
 - (e) make provision about how charges may be recovered.
- (4) The Scottish Ministers must, in exercising their functions under subsection (1), secure that the income from any charges imposed by virtue of the regulations does not exceed the relevant costs.
- (5) Regulations under subsection (1) may modify any enactment (including this Act).
- (6) Regulations under subsection (1) are not to be made unless a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, the Scottish Parliament.

27 Annual report

- (1) The president of the homeowner housing panel must, in respect of each reporting year, prepare a report on the exercise of functions by the president and by homeowner housing committees during that year.
- (2) The president must submit each such report to the Scottish Ministers as soon as practicable after the end of the reporting year to which it relates.
- (3) The Scottish Ministers must lay before the Scottish Parliament a copy of each such report submitted to them.
- (4) A reporting year for the purposes of this section is—
 - (a) the period beginning with the day on which this section comes into force and ending with 31 December next following that date, and
 - (b) each successive calendar year.