

SCHEDULE 2

Regulation 6

Consequential amendments and repeals of the Property Factors (Scotland) Act 2011

1. The Property Factors (Scotland) Act 2011 is amended in accordance with paragraphs 2 to 9.
2. In section 17 (application to homeowner housing panel), in subsection (1), for “homeowner housing panel” substitute “First-tier Tribunal”.
3. The title to section 17 becomes “Application to the First-tier Tribunal”.
4. In section 18 (referral to homeowner housing committee)—
 - (a) in subsection (1), for “president of the homeowner housing panel” substitute “Chamber President”;
 - (b) in subsections (2), (3) and (4) for “president” in each place that it occurs substitute “Chamber President”;
 - (c) in subsection (3)(a), for “panel’s” substitute “First-tier Tribunal’s”; and
 - (d) after subsection (5) insert—

“(6) In this Act, “Chamber President” means Chamber President of the First-tier Tribunal for Scotland Housing and Property Chamber.”
5. After section 18, insert—

“18A Delegation of Chamber President’s powers

- (1) The Chamber President may delegate the Chamber President’s functions under section 18 to any legal or ordinary member of the First-tier Tribunal.
- (2) A delegation under this section does not affect the Chamber President’s—
 - (a) responsibility for the carrying out of delegated functions, or
 - (b) ability to carry out delegated functions.”.
6. In section 28 (delegation of functions), in subsection (3), the words “25, 26(1), 27(3),” are repealed.
7. In section 30 (orders and regulations), in subsection (3), the words “or regulations under section 26(1)” are repealed.
8. In section 31 (interpretation)—
 - (a) after the entry for “applicant” insert—

““Chamber President” has the meaning given by section 18(6),”
 - (b) after the entry for “homeowner” insert—

““legal member” has the same meaning as in section 15(2) of the Tribunals (Scotland) Act 2014.”;
 - (c) after the entry for “local authority” insert—

““ordinary member” has the same meaning as in section 15(1) of the Tribunals (Scotland) Act 2014.”.
9. Sections 16 (and the italic heading preceding it), 22, 25, 26 and 27 are repealed.