

2015 No. 217

PROPERTY FACTORS

**The Property Factors (Registration) (Scotland) Amendment
Regulations 2015**

<i>Made</i>	- - - -	<i>27th May 2015</i>
<i>Laid before the Scottish Parliament</i>		<i>29th May 2015</i>
<i>Coming into force</i>	- -	<i>1st July 2015</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 3(4) and 30(2) of the Property Factors (Scotland) Act 2011(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Property Factors (Registration) (Scotland) Amendment Regulations 2015 and come into force on 1st July 2015.

Amendment of the Property Factors (Registration) (Scotland) Regulations 2012 - fees

2.—(1) The Property Factors (Registration) (Scotland) Regulations 2012(b) are amended as follows.

(2) In regulation 5(1) (fees payable on application for registration as a property factor)—

- (a) for “The” substitute “Subject to paragraph (1A), the”;
- (b) in sub-paragraph (a) for “£100” substitute “£200”; and
- (c) in sub-paragraph (b) for “£370” substitute “£750”.

(3) After regulation 5(1), insert—

“(1A) The number of properties in relation to which an applicant acts, or expects to act, does not include any property which the applicant owns (that is to say, owns more than only a share in the common parts of the relevant property).”.

M J BURGESS

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
27th May 2015

(a) 2011 asp 8.
(b) S.S.I. 2012/181.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Property Factors (Registration) (Scotland) Regulations 2012. Regulation 2(2) increases the fees for registration as a property factor from £100 to £200 (where the property factor acts in relation to 100 or fewer properties) and from £370 to £750 (where the property factor acts in relation to more than 100 properties).

In addition, regulation 2(3) provides that, in calculating the fee owed by an applicant, those properties which the applicant owns are excluded (e.g. property owned and let by housing associations and local authorities who act as property factors). This exclusion does not extend to property in relation to which the applicant owns only a share in the common parts.

A Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Housing Services Policy Unit, Scottish Government, Victoria Quay, Edinburgh, EH6 6QQ and online at www.legislation.gov.uk.

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