
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 338

The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Panel) Regulations 2016

Citation and commencement

1.—(1) These Regulations may be cited as the First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Panel) Regulations 2016.

(2) These Regulations come into force on 1st December 2016.

Interpretation

2. In these Regulations—

“the 2014 Act” means the Tribunals (Scotland) Act 2014;

“the prhp” means the panel constituted under schedule 4 of the Rent (Scotland) Act 1984(1), to be known as the private rented housing panel in terms of section 21(1) of the Housing (Scotland) Act 2006(2); and

“the prhp functions” means the functions exercised by the prhp (including those of the president of the panel and the members of the panel, but not the vice-president of the panel), by virtue of section 21(3) of the Housing (Scotland) Act 2006.

Transfer of prhp functions to the First-tier Tribunal and abolition of prhp

3.—(1) Subject to regulations 5 and 6, the prhp functions are transferred to the First-tier Tribunal with allocation to the First-tier Tribunal Housing and Property Chamber.

(2) The prhp is abolished.

Transfer of prhp members to the First-tier Tribunal

4.—(1) Subject to paragraphs (2) and (3), members of the prhp under the age of 75 on the coming into force of these Regulations are transferred to and become members of the First-tier Tribunal, with—

- (a) legal members of the prhp becoming legal members of the First-tier Tribunal;
- (b) other members of the prhp (including the vice-president) becoming ordinary members of the First-tier Tribunal; and
- (c) the president of the prhp becoming Chamber President of the First-tier Tribunal Housing and Property Chamber.

(2) Members of the prhp transferred to the First-tier Tribunal under paragraph (1) shall (subject to the provisions of the 2014 Act) be members of the First-tier Tribunal in accordance with terms and conditions to be offered by the Scottish Ministers on transfer, which will supersede any existing terms and conditions of appointment.

(1) 1984 c.58.

(2) 2006 asp 1.

(3) A member of the prhp who is aged 70 or over on the coming into force of these Regulations shall transfer only if the Scottish Ministers in consultation with the President of Tribunals consider it desirable in the public interest that the member should transfer.

Transitional and savings provisions

5. The transitional and savings provisions set out in schedule 1 of these Regulations have effect.

Consequential amendments and repeals

6.—(1) The consequential amendments and repeals to primary legislation set out in schedule 2 of these Regulations have effect.

(2) The consequential amendments and revocations to subordinate legislation set out in schedule 3 of these Regulations have effect.

(3) The consequential amendments to the Tenant Information Pack set out in schedule 4 of these Regulations have effect.

St Andrew's House,
Edinburgh
27th October 2016

ANNABELLE EWING
Authorised to sign by the Scottish Ministers