

*Status: Point in time view as at 28/11/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Tenements (Scotland) Act 2004, Paragraph 3. (See end of Document for details)*

## SCHEDULE 1 **S** TENEMENT MANAGEMENT SCHEME

### RULE 3 – **S**

#### MATTERS ON WHICH SCHEME DECISIONS MAY BE MADE

##### *Basic scheme decisions*

- 3.1 The owners may make a scheme decision on any of the following matters—
- (a) to carry out maintenance to scheme property,
  - (b) to arrange for an inspection of scheme property to determine whether or to what extent it is necessary to carry out maintenance to the property,
  - (c) except where a power conferred by a manager burden (within the meaning of the Title Conditions (Scotland) Act 2003 (asp 9)) is exercisable in relation to the tenement—
    - (i) to appoint on such terms as they may determine a person (who may be an owner or a firm) to manage the tenement,
    - (ii) to dismiss any manager,
  - (d) to delegate to a manager power to exercise such of their powers as they may specify, including, without prejudice to that generality, any power to decide to carry out maintenance and to instruct it,
  - (e) to arrange for the tenement a common policy of insurance complying with section 18 of this Act and against such other risks (if any) as the owners may determine and to determine on an equitable basis the liability of each owner to contribute to the premium,
  - (f) to install a system enabling entry to the tenement to be controlled from each flat,
  - (g) to determine that an owner is not required to pay a share (or some part of a share) of such scheme costs as may be specified by them,
  - (h) to authorise any maintenance of scheme property already carried out,
  - (i) to modify or revoke any scheme decision.

##### **Commencement Information**

**II** Sch. 1 in force at 28.11.2004 by [S.S.I. 2004/487](#), [art. 2\(1\)\(d\)](#)

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