

EXPLANATORY NOTES

PROPERTY FACTORS (SCOTLAND) ACT 2011

INTRODUCTION

THE ACT

PART 1 – REGISTRATION OF PROPERTY FACTORS

Section 1 – Register of property factors

Section 2 – Meaning of “property factor”

Section 3 – Application for registration

Section 4 – Registration

Section 5 – Section 4: considerations

Section 6 – Notification of registration, refusal to register or removal

Section 7 – Duty of responsible person to provide information

Section 8 – Removal from register

Section 9 – Effect of refusal to enter in register or removal from register (and Section 10 – Section 9: interpretation etc.)

Section 11 – Appeal against refusal to register or removal from register

Section 12 – Offence of operating as a property factor without registration

Section 13 – Property factor registered numbers

Section 14 – Code of conduct

Section 15 – Service of notices etc.

PART 2 – DISPUTE RESOLUTION

Section 16 – Naming of panel and re-naming of committees

Section 17 – Application to homeowner housing panel

Section 18 – Referral to homeowner housing committee

Section 19 – Determination by homeowner housing committee

These notes relate to the Property Factors (Scotland) Act 2011 (asp 8)

Section 20 – Property factor enforcement orders

Section 21 – Variation and revocation of property factor enforcement orders

Section 22 – Appeals

Section 23 – Effect of failure to comply with property factor enforcement order

Section 24 – Property factor enforcement order: offences

Section 25 – Power to make further provision about applications etc.

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

Section 27 – Annual report

PART 3 – MISCELLANEOUS AND GENERAL

Section 28 – Delegation of functions

Section 29 – Ancillary provision

Section 30 – Orders and regulations

Section 31 – Interpretation

Section 32 – Crown application

Section 33 – Short title and commencement

PARLIAMENTARY HISTORY