
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Tenancy Deposit Schemes (Scotland) Regulations 2011

PART 1

Introductory and General

Scheme administrator to be a fit and proper person

- 7.—(1) A person who acts as scheme administrator must be a fit and proper person to do so.
- (2) A proposal for a tenancy deposit scheme must include a declaration of—
- (a) whether paragraph (3) applies to any person who is proposed to act as scheme administrator; and
 - (b) details of any of the matters set out in paragraph (3) that apply.
- (3) This paragraph applies if the person has—
- (a) been convicted of any offence involving fraud or other dishonesty;
 - (b) been declared bankrupt; or
 - (c) been disqualified from being a director of a company.
- (4) The Scottish Ministers must take into account the declaration made under paragraph (2), and any other material they consider relevant, in assessing whether a person is fit and proper for the purposes of paragraph (1).
- (5) The proposed scheme administrator must provide the Scottish Ministers with any information they require for the purpose of that assessment.