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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2021 No.**

**The Property Factors (Code of Conduct) (Scotland) Order 2021**

**Saving provision**

4.—(1) Paragraph (2) applies in relation to an application made to the First-tier Tribunal under section 17(1) of the 2011 Act prior to 16 August 2021.

(2) Where this paragraph applies, articles 2 and 3 have no effect until the date on which the application is determined.

(3) An application is determined when—

- (a) the application is rejected under section 18(1)(b) of the 2011 Act,
- (b) the First-tier Tribunal decides that the property factor to whom the application relates has not failed to—
  - (i) carry out the property factor’s duties, or
  - (ii) comply with the duty under section 14(5) of the 2011 Act,
- (c) the First-tier Tribunal revokes a property factor enforcement order it has made in respect of the application, or
- (d) an appeal against the making of a property factor enforcement order in relation to the application is withdrawn or finally determined.

(4) In this article, “the 2011 Act” means the Property Factors (Scotland) Act 2011.