



Property Factors (Scotland) Act 2011

2011 asp 8

PART 1

REGISTRATION OF PROPERTY FACTORS

Removal from register etc.

10 Section 9: interpretation etc.

- (1) For the purposes of section 9(1)(b), a property factor is not removed from the register where the entry removed under section 4(7) is replaced, before or at the time of the removal, by another entry made by virtue of a further application for entry in the register under section 3(1) by the person to whom the entry removed under section 4(7) relates.
- (2) In section 9, “relevant date” means—
 - (a) in relation to a case mentioned in section 9(1)(a) or (c), the day after the day on which—
 - (i) the period within which any appeal under section 11(2) may be made expires (without such an appeal being made), or
 - (ii) any such appeal is concluded (without the Scottish Ministers being required to enter the applicant in the register),
 - (b) in relation to a case mentioned in section 9(1)(b), the day after the day on which the entry in the register is removed under section 4(7).
- (3) For the purposes of subsection (2), an appeal is concluded only when—
 - (a) the period within which an appeal under section 11(9) may be made has expired without such an appeal being made, or
 - (b) any such appeal has been concluded.
- (4) In section 9(2)(c), “Tenement Management Scheme” has the meaning given by section 29(1) of the Tenements (Scotland) Act 2004.
- (5) In this Act, “homeowner” means—
 - (a) an owner of land used to any extent for residential purposes the common parts of which are managed by a property factor, or

Status: This is the original version (as it was originally enacted).

- (b) an owner of residential property adjoining or neighbouring land which is—
 - (i) managed or maintained by a property factor, and
 - (ii) available for use by the owner.