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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2016 No.**

**TRIBUNALS AND INQUIRIES**

The First-tier Tribunal for Scotland (Transfer of Functions of the Homeowner Housing Committees) Regulations 2016

*Made* - - - - - *2016*

*Coming into force* *1st December 2016*

THE FIRST-TIER TRIBUNAL FOR SCOTLAND  
(TRANSFER OF FUNCTIONS OF THE HOMEOWNER  
HOUSING COMMITTEES) REGULATIONS 2016

1. Citation and commencement
2. Interpretation
3. Transfer of hohcs functions to the First-tier Tribunal and abolition of hohcs
4. Transitional and savings provisions
5. Consequential amendments
6. Consequential amendments to the Property Factors (Scotland) Act 2011  
Code of Conduct of Property Factors  
Signature

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SCHEDULE 1 — Transitional and savings provisions

1. Applications to and proceedings in progress before the hohcs on 1st December 2016 to transfer to the First-tier Tribunal
2. Decisions, directions and orders of the hohcs to continue in force
3. Time limits in respect of applications to and proceedings before the hohcs to carry over to the First-tier Tribunal
4. Unexercised right of appeal to sheriff, if exercised, to be appeal to the Upper Tribunal
5. Savings provision

SCHEDULE 2 — Consequential amendments of the Property Factors (Scotland) Act 2011

1. The Property Factors (Scotland) Act 2011 is amended in accordance...
2. In section 4 (registration)— (a) in subsection (4)(b)(iv), for “a...
3. In section 5 (section 4: considerations), in subsection (3)(b), for...

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The First-tier Tribunal for Scotland (Transfer of Functions of the Homeowner Housing Committees) Regulations 2016 No. 335

4. In section 8 (removal from register), in subsection (2)(c), for...
5. In section 18 (referral to homeowner housing committee), in subsection...
6. The title to section 18 becomes “Referral to the First-tier...
7. In section 19 (determination by homeowner housing committee)—
8. The title to section 19 becomes “Determination by the First-tier...
9. In section 20 (property factor enforcement orders)—
10. In section 21 (variation and revocation of property factor enforcement...
11. In section 23 (effect of failure to comply with property...
12. In section 24 (property factor enforcement order: offences), in subsection...
13. In section 31 (interpretation), after the definition of “applicant” insert—...

SCHEDULE 3 — Consequential amendments to the Property Factors (Scotland) Act  
2011 Code of Conduct of Property Factors

1. The Property Factors (Scotland) Act 2011 Code of Conduct of...

Explanatory Note