Infrastructure and Capital Investment Committee

9th Report, 2012 (Session 4)

Report on Subordinate Legislation

Published by the Scottish Parliament on 24 September 2012
Infrastructure and Capital Investment Committee

Remit and membership

Remit:

To consider and report on infrastructure, capital investment, transport, housing and other matters falling within the responsibility of the Cabinet Secretary for Infrastructure and Capital Investment, apart from those covered by the remit of the Local Government and Regeneration Committee.

Membership:

Malcolm Chisholm
Adam Ingram (Deputy Convener)
Alex Johnstone
Gordon MacDonald
Margaret McCulloch
Jim Eadie
Maureen Watt (Convener)

Committee Clerking Team:

Clerk to the Committee
Steve Farrell

Assistant Clerk
Lewis McNaughton

Committee Assistant
Lauren Spaven-Donn
The Committee reports to the Parliament as follows—

**Property Factors (Scotland) Act 2011 (Modification) Order 2012 [draft]**

1. The Property Factors (Scotland) Act 2011 (Modification) Order 2012 [draft], which is subject to the affirmative procedure, was laid before the Parliament on 21 June 2012. The Committee considered the Order and took evidence from Margaret Burgess, Minister for Housing and Welfare, at its meeting on 19 September 2012.

2. The Committee discussed a number of issues in relation to the Order, including whether the publication of personal information about prior criminal convictions in the register of property factors could act as a potential deterrent for applicants to register as landlords. The Committee also discussed the potential number of declarations of prior convictions that could be expected, and the rationale behind the proposal not to require applicants to update their declaration until the next three-yearly registration. Members also questioned the Minister over the compatibility of the Order with the Rehabilitation of Offenders Act 1974.

3. The Minister for Housing and Welfare moved motion SM4-04090—

   That the Infrastructure and Capital Investment Committee recommends that the Property Factors (Scotland) Act 2011 (Modification) Order 2012 [draft] be approved.

4. The motion was agreed to.
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