

EXPLANATORY NOTES

BUILDING (SCOTLAND) ACT 2003

INTRODUCTION

BACKGROUND

EC Construction Products Directive

Building standards system

THE ACT - AN OVERVIEW

PART 1: BUILDING REGULATIONS

Section 1: Building regulations

Section 2: Continuing requirements

Section 3: Relaxation of building regulations

Section 4: Guidance documents for purposes of building regulations

Section 5: Compliance with guidance documents

Section 6: Building standards assessments

PART 2: APPROVAL OF CONSTRUCTION WORK ETC.

Section 7: Verifiers and certifiers

Section 8: Building warrants

Section 9: Building warrants: grant and amendments

Section 10: Building warrants: extension, alteration and conversion

Section 11: Building warrants: certification of design

Section 12: Building warrants: reference to Ministers

Section 13: Building warrants: further provisions

Section 14: Building warrants: limited life buildings

Section 15: Building warrants: late applications

Section 16: Applications and grants: offences

Section 17: Completion certificates

Section 18: Completion certificates: acceptance and rejection

Section 19: Certification of construction

Section 20: Completion certificates: offences

Section 21: Occupation or use without completion certificates

Section 22: Imposition of continuing requirements by verifiers

Section 23: Discharge and variation of continuing requirements imposed by verifiers

Section 24: Building standards registers

PART 3: COMPLIANCE AND ENFORCEMENT

Section 25: Building regulations compliance

Section 26: Continuing requirement enforcement notices

Section 27: Building warrant enforcement notices

PART 4: DEFECTIVE AND DANGEROUS BUILDINGS

Section 28: Defective buildings

Section 29: Dangerous buildings

Section 30: Dangerous buildings notices

PART 5: GENERAL

Section 31: Building Standards Advisory Committee

Section 32: Exercise of local authority functions

Section 33: Procedure regulations

Section 34: Reports and information

Section 35: Scheduled monuments, listed buildings etc.

Section 36: Forms

Section 37: Service of notices etc.

Section 38: Fees and charges

Section 39: Powers of entry, inspection and testing

Section 40: Work required by notice: owner's right of entry

Section 41: Tests of materials

Section 42: Evacuation of buildings

Section 43: Unlawful occupation of evacuated buildings

Section 44: Expenses

Section 45: Compulsory purchase where owner cannot be found

Section 46: Sale of materials from demolished buildings

Section 47: Appeals

Section 48: Penalties for offences

Section 49: Offences by bodies corporate etc.

Section 50: Criminal liability of trustees etc.

Section 51: Civil liability

Section 52: Inquiries

Section 53: Crown application

Section 54: Orders and regulations

Section 55: Meaning of “building”

Section 56: Interpretation

PART 6: SUPPLEMENTARY

Section 57: Ancillary provision

Section 58: Modification of enactments

Section 59: Commencement and short title

SCHEDULES

Schedule 1 (introduced by section 1): Building regulations

Schedule 2 (introduced by section 7): Verifiers and certifiers

Schedule 3 (introduced by section 33): Procedure regulations: particular matters

Schedule 4 (introduced by section 39): Powers of entry, inspection and testing: further provision

Schedule 5 (introduced by section 42): Evacuation of buildings

Schedule 6 (introduced by section 58): Modification of enactments

PARLIAMENTARY HISTORY OF BUILDING (SCOTLAND) ACT 2003