

*These notes relate to the Building (Scotland) Act 2003  
(asp 8) which received Royal Assent on 26 March 2003*

# **BUILDING (SCOTLAND) ACT 2003**

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## **EXPLANATORY NOTES**

### **THE ACT - AN OVERVIEW**

#### **Part 1: Building Regulations**

##### ***Section 5: Compliance with guidance documents***

26. As the documents referred to in section 4 have the status of guidance, they will not provide the sole means of meeting the requirements of building regulations. *Subsections (1) and (2)* clarify that failure to comply with guidance documents does not in itself render a person liable to civil or criminal proceedings, though proof of compliance with them may be relied on in any proceedings as evidence that building regulations have not been contravened. *Subsection (3)* provides that notices issuing, revising or withdrawing guidance, and documents appearing to be guidance documents, are to be accepted as such during any legal proceedings unless the contrary is proved.