SCOTTISH STATUTORY INSTRUMENTS

2005 No. 172

BUILDING AND BUILDINGS

The Building (Forms) (Scotland) Regulations 2005

Made - - - -	*22nd March 2005*
Laid before the Scottish Parliament - - - -	*22nd March 2005*
Coming into force - -	*1st May 2005*

The Scottish Ministers, in exercise of the powers conferred by section 36 of the Building (Scotland) Act 2003(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Building (Forms) (Scotland) Regulations 2005 and shall come into force on 1st May 2005.

Forms

2. The forms set out in the Schedule to these Regulations are the forms prescribed for the purposes of section 36 of the Building (Scotland) Act 2003.

St Andrew's House, Edinburgh
22nd March 2005

Johann M Lamont
Authorised to sign by the Scottish Ministers

(**1**) 2003 asp 8.

SCHEDULE Regulation 2

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FORM 1**BUILDING WARRANT**Building (Scotland) Act 2003Warrant under section 9 for work subject to building regulations

Grant of warrant

This warrant is granted by –[name of verifier]

in connection with the application by –[name of applicant or duly authorised agent]

dated –

for [description of work]

at [address of building or site, include post code if known]

Reference number

The reference number of this building warrant is –

Conditions

The following conditions apply (choose relevant conditions from below)

[if the application is for the demolition of a building]*

that the work involved will be carried out in accordance with building regulations, and that the work will commence by [date] and be completed by [date]

[if the application is for the construction (erection, alteration or extension) of a building]*

that the work will be carried out as described in the building warrant and in accordance with building regulations and that nothing in any drawing, specification or other information submitted with the application indicates that the building when constructed will fail to comply with building regulations

[if the application is for the provision of services, fittings or equipment in or in connection with a building]*

that the work involved will be carried out as described in the building warrant and in accordance with building regulations and that nothing in any drawing, specification or other information submitted with the application indicates that the services, fittings or equipment will fail to comply with building regulations

[if the application is for the conversion of a building]*

that the conversion is made in accordance with the building warrant and that after the conversion the building as converted will comply with building regulations

Also, use the following conditions where applicable

[if the building is a limited-life building]*

that the building shall be demolished on or before the expiry of [ ] years from the relevant date. (see note 1)

[if the building warrant is to be granted only up to a particular stage]*

that work on (the later stages – to be specified here) is not to proceed until such further information relating to that stage or stages as the verifier may require is submitted, and the verifier is satisfied with the information and has issued an amendment of building warrant. (see notes 2 and 3)

Continuing requirements

The following continuing requirement applies – (For each requirement, must state to which regulation and standard it is related)

Security matters

The following matters/documents are not be available for public inspection without the applicant's written approval –

A copy of the agreed plans is returned

Signed –

For (name of verifier)

Dated –

*Delete as appropriate

Notes

1. to be considered as a limited-life building expiry must not be more than 5 years from the relevant date, which is the date of notification of acceptance of the completion certificate for the work, or the date of any permission for the temporary occupation or use of the building before acceptance of the completion certificate.

2. for construction, the stages specified in the procedure regulations are –

   a) construction of foundations, or

   b) such other stages as the verifier considers appropriate having regard to any guidance issued by the Scottish Ministers

3. for demolition, the stages specified in the procedure regulations are –

   a) isolation and removal of services, fixtures and fittings,

   b) isolation and protection of adjacent structures, or

   c) such other stages, appropriate to the method of demolition, as the verifier considers appropriate having regard to any guidance issued by the Scottish Ministers.

4. The verifier must be notified

   A of the date on which work is commenced within 7 days of such date,

   B when any drain has been laid and is ready for inspection or test (unless this work is covered by a certificate of construction),

   C when a drain track has been in-filled and the drainage system is ready for a second inspection or test (unless this work is covered by a certificate of construction),

   of the date on which the work is completed (unless a completion certificate is submitted in place of the notice),

D of the date of completion of such other stages as the verifier may require, and

E of the intention to use an approved certifier of construction.

A above must be notification in writing. Other notifications are at the verifier's discretion.

5. It should be noted that where the owner is not the applicant, then the verifier will notify the owner of the grant of the building warrant as is required in terms of section 9(7)(b) of the Building (Scotland) Act 2003.

Important notice

This building warrant is valid for 3 years. A Completion Certificate must be submitted when the work is complete. If a completion certificate is not submitted within that period an extension of building warrant must be obtained before the expiry date.

WARNING

A building warrant does not exempt you from obtaining other types of permission that may be necessary, such as planning permission or listed building consent. Consult the local authority if in doubt.

It is an offence to use or occupy the building(s) before obtaining acceptance of a completion certificate, unless the work is alteration only. Permission for temporary occupation may be requested from the verifier.

FORM 2**AMENDMENT TO BUILDING WARRANT**Building (Scotland) Act 2003Amendment under section 9 of a building warrant