SCOTTISH STATUTORY INSTRUMENTS

2002 No. 40

BUILDING AND BUILDINGS

The Building Standards (Scotland) Amendment Regulations 2001 Amendment Regulations 2002

Made - - - -	*4th February 2002*
Laid before the Scottish Parliament - - - -	*6th February 2002*
Coming into force - -	*3rd March 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 3, 24(1)(b) and 29(1) of, and Schedule 4 to, the Building (Scotland) Act 1959(**1**) and of all other powers enabling them in that behalf and, as required by section 3(6) of that Act(**2**), having consulted the Building Standards Advisory Committee and such other bodies as appear to them to be representative of the interests concerned, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Building Standards (Scotland) Amendment Regulations 2001 Amendment Regulations 2002 and shall come into force on 3rd March 2002.

Amendment of Building Standards (Scotland) Amendment Regulations 2001

2. After regulation 3 (transitional provisions) of the Building Standards (Scotland) Amendment Regulations 2001(**3**) there shall be inserted the following regulation:–

> "**4.** In relation to the construction of a conservatory, the contract for which was entered into prior to the date of the coming into force of these Regulations, the building standards regulations applicable to the conservatory shall be those in force at the time the contract was entered into and any reference in the Building (Scotland) Act 1959 to building standards regulations shall be construed accordingly, notwithstanding that the construction is carried out on or after the date of the coming into force of these Regulations.

(**1**) 1959 c. 24; section 3(2) and (3) was amended by the Health and Safety at Work etc. Act 1974 (c. 37) ("the 1974 Act"), Schedule 7, paragraph 1(a) and (b) respectively; section 3(4) was amended by the Housing (Scotland) Act 1986 (c. 65), section 19(2); section 3(7) was inserted by the 1974 Act, Schedule 7, paragraph 1(c); section 29(1) contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46); see also the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I.1999/1820), Schedule 2, paragraph 29.

(**2**) Section 3(6) was substituted by the Building (Scotland) Act 1970 (c. 38), section 1.

(**3**) S.S.I. 2001/320.