SCOTTISH STATUTORY INSTRUMENTS

2001 No. 320

BUILDING AND BUILDINGS

The Building Standards (Scotland) Amendment Regulations 2001

Made - - - -	*20th September 2001*
Laid before the Scottish Parliament - - - -	*24th September 2001*
Coming into force - -	*4th March 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 3, 6(1),11(7), 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 and shall come into force on 4th March 2002.

Amendment of Building Standards (Scotland) Regulations 1990

2.—(1) The Building Standards (Scotland) Regulations 1990(**3**) shall be amended in accordance with the following paragraphs:–

(2) In paragraph (1) of regulation 2 (interpretation)–

(a) in the definition of "compartment(**4**)" the words ", except in the expression "watercloset compartment,"" shall be deleted;

(**1**) 1959 c. 24; section 2(4) was substituted by the Local Government (Scotland) Act 1973 (c. 65), Schedule 15, paragraph 3(b); 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.I. 1990/2179, amended by S.I. 1993/1457, 1994/1266, 1996/2251, 1997/2157 and S.S.I. 1999/173.

(**4**) Substituted by S.I. 1997/2157.

(b) for the definition of ""compartment floor" and "compartment wall""(**5**) there shall be substituted–

""compartment floor" and "compartment wall" mean respectively a floor or a wall with the level of fire safety performance required to ensure compartmentation";

(c) in the definition of "conservatory", after "dwelling", there shall be inserted ", the entrance having a door,";

(d) in the definition of "room", for "watercloset compartment" there shall be substituted "toilet";

(e) in the definition of "sanitary facilities", after "waterclosets", there shall be inserted "(and waterless closets in dwellings only)";

(f) after the definition of "storey" there shall be inserted the definition–

""surface water" means the run-off of rainwater from roofs and any paved ground surface within the curtilage of the building;";

(g) in the definition of "Technical Standards(**6**)", after the words "December 1999" there shall be inserted the words "and September 2001";

(h) the definition of "watercloset compartment" shall be omitted; and

(i) after the definition of "Technical Standards" there shall be inserted the definitions–

""toilet" means an enclosed part of a storey which contains a watercloset, a waterless closet or a urinal, which are properly installed for use;

"wastewater" means water that is contaminated by use and normally discharged from a watercloset, shower, bath, bidet, washbasin, sink, washing machine, floor gully and similar facility and also includes rainwater when discharging in a wastewater drainage system.".

(3) In regulation 9 (compliance with building standards) for "33", there shall be substituted "32".

(4) For regulation 10 (fitness of materials) there shall be substituted–

"**Fitness of materials and workmanship**

10. Construction to meet a requirement of these Regulations must be carried out in a technically proper and workmanlike manner, and the materials used must be durable, and fit for their intended purpose.".

(5) For regulation 13 there shall be substituted–

"**Means of escape from fire, facilities for fire-fighting and means of warning of fire**

13.—(1) Every building shall be provided with–

(a) adequate means of escape in event of fire; and

(b) adequate fire-fighting facilities.

(1A) Every dwelling, all residential accommodation and all enclosed shopping centres shall be provided with adequate means of warning the occupants of an outbreak of fire.

(2) This regulation shall not be subject to specification in a notice served under section 11 of the Act in respect of–

(a) buildings of purpose sub-groups 1B and 1C; and

(**5**) Substituted by S.I. 1997/2157.
(**6**) Substituted by S.S.I. 1999/173.