



# Building (Scotland) Act 2003

## 2003 asp 8

### PART 1

#### BUILDING REGULATIONS

##### *Guidance documents*

#### **5 Compliance with guidance documents**

- (1) Failure to comply with a guidance document does not render a person liable to civil or criminal proceedings.
- (2) But proof of compliance with such a document may be relied on in any proceedings (whether civil or criminal) as tending to negative liability for an alleged contravention of building regulations.
- (3) In any proceedings (whether civil or criminal)—
  - (a) a document purporting to be a notice issued under section 4(2) or (4) is to be taken to be such a notice unless the contrary is proved,
  - (b) a document which appears to the court to be the guidance document to which such a notice refers is to be taken to be that guidance document unless the contrary is proved.

#### **Commencement Information**

**II** S. 5 in force at 1.5.2005 by S.S.I. 2004/404, art. 2(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Building (Scotland) Act 2003, Section 5.