

EXECUTIVE NOTE

The Building (Forms) (Scotland) Amendment Regulations 2006 S.S.I. 2006/ 163

The above instrument was made in exercise of the powers conferred by section 36 of the Building (Scotland) Act 2003. The instrument is subject to negative resolution procedure.

Background

The Building (Forms) (Scotland) Amendment Regulations set out the forms that are prescribed for the purposes of section 36 of the Act.

Policy Objectives

The Building (Forms) (Scotland) Regulations 2005 were an essential part of the reform of the building standards system which was introduced by the Building (Scotland) Act 2003. The instrument introduced Regulations on 16 prescribed forms, most of which are standard notices and certificates

The Regulations fully complement the Building (Scotland) Regulations 2004 which prescribe standards for buildings; the Building (Procedure)(Scotland) Regulations 2004 which set the administrative structure for the new building standards system in Scotland; and the Building (Fees)(Scotland) Regulations 2004 which set the fees structure for the new system.

In the light of the experience of the verifiers of the new system, it was considered necessary to amend the Regulations to provide clarity for both verifiers and applicants to ensure consistency in the administration and enforcement of the system.

Consultation

Prescribed forms will be used in the main by the verifiers of the building standards system, i.e. - all Scottish local authorities. Prior to the introduction of the new building standards system, the Scottish Building Standards Agency (SBSA) held regular meetings over the structure and drafting of forms with the Scottish Association of Building Standards Managers (SABSM) in addition to benefiting from specific feedback on their practicability from individual local authority officials. Since the introduction of the Act on 1 May 2005, there has been continuous dialogue with SABSM in relation to consistent interpretation of the forms. The amending Regulations take SABSM comments on board and provide clarity in relation to interpretation.

Financial Effects

The instrument should have no financial effects on local government or on business.