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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 16**

**TENEMENTS**

The Tenements (Scotland) Act  
2004 (Prescribed Risks) Order 2007

*Made* - - - - 23rd January 2007  
*Laid before the Scottish*  
*Parliament* - - - - 24th January 2007  
*Coming into force* - - 1st May 2007

The Scottish Ministers, in exercise of the powers conferred by section 18(3) of the Tenements (Scotland) Act 2004<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Tenements (Scotland) Act 2004 (Prescribed Risks) Order 2007 and shall come into force on 1st May 2007.

**Prescribed risks**

2. The risks prescribed for the purposes of section 18 of the Tenements (Scotland) Act 2004 (obligation of owner to insure) are those risks specified in the Schedule to this Order.

St Andrew's House,  
Edinburgh  
23rd January 2007

*JOHANN M LAMONT*  
Authorised to sign by the Scottish Ministers

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 2

### Prescribed Risks

The risk of damage to a flat or any part of a tenement building attaching to that flat as a pertinent caused by:

- (a) fire, smoke, lightning, explosion, earthquake;
- (b) storm or flood;
- (c) theft or attempted theft;
- (d) riot, civil commotion, labour or political disturbance;
- (e) malicious persons or vandals;
- (f) subsidence, heave or landslip;
- (g) escape of water from water tanks, pipes, apparatus and domestic appliances;
- (h) collision with the building caused by any moving object originating outside the building;
- (i) leakage of oil from fixed heating installations; and
- (j) accidental damage to underground services.

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes the risks against which an owner of a flat within a tenement is required to insure in accordance with section 18 of the Tenements (Scotland) Act 2004. The risks are set out in the Schedule to the Order.