SCOTTISH STATUTORY INSTRUMENTS

2018 No. 163

The Tenements (Scotland) Act 2004 (Heating Services) Regulations 2018

Interpretation

2. In these Regulations—

"the 2004 Act" means the Tenements (Scotland) Act 2004;

"communal heating" means the distribution of thermal energy in the form of steam, hot water, or chilled liquids from a central source in a building which is occupied by more than one final customer, for the use of space or process heating, cooling or hot water;

"district heat network" means the distribution of thermal energy in the form of steam, hot water or chilled liquids from a central source of production through a network to multiple buildings or sites for the use of space or process heating, cooling or hot water;

"installation" means work an owner is entitled to instruct or carry out under section 19 (installation of service pipes etc.) of the 2004 Act in accordance with these Regulations;

"notice of the proposals" means notice given under regulation 4 or revised notice;

"owner" is to be construed in accordance with section 28 (meaning of "owner", determination of liability etc.) of the 2004 Act, and the owner giving notice under these Regulations includes the owner of more than one flat where the owners of each of those flats consent to act together;

"relevant contributor" means any owner of a flat in the tenement who is not an owner of the other part of the tenement but is required, by virtue of the management scheme which applies as respects the tenement, to contribute to the cost of maintenance of the other part of the tenement;

"revised notice" means a notice under regulation 5(2)(b);

"the other part of the tenement" means the part of the tenement not wholly owned by the owner giving notice under regulation 4—

(a)   through which pipes, cables or other equipment would be led; and

(b)   to which such equipment would be fixed,

under these Regulations; and

"title condition" has the meaning given by section 122(1) (interpretation) of the Title Conditions (Scotland) Act 2003(**1**).

(**1**)   2003 asp 9. Section 122(1) was relevantly amended by paragraph 43(11) of schedule 5 of the Land Registration etc. (Scotland) Act 2012 (asp 5).