

**1987 No. 1232 (S.90)**

**BUILDING AND BUILDINGS**

**The Building (Procedure) (Scotland) Amendment  
Regulations 1987**

<i>Made</i> - - - -	<i>10th July 1987</i>
<i>Laid before Parliament</i>	<i>24th July 1987</i>
<i>Coming into force</i>	<i>21st September 1987</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2(4), 20(1) and 29(1) of the Building (Scotland) Act 1959(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Building (Procedure) (Scotland) Amendment Regulations 1987 and shall come into force on 21st September 1987.

**Interpretation**

2. In these Regulations "the principal Regulations" means the Building (Procedure) (Scotland) Regulations 1981(b).

**Amendment of the principal Regulations**

3. The principal Regulations shall be amended as follows:-

(a) in regulation 3 (Interpretation)-

(i) in the definition of "building standards regulations" for the words "Building Standards (Scotland) Regulations 1971 to 1980" there shall be substituted "Building Standards (Scotland) Regulations 1981 to 1987(c)";

(ii) after the definition of "direction", there shall be inserted the following definition:-

"disabled person" means a person who is blind, deaf or dumb, and any other person who is substantially and permanently handicapped by illness, injury or congenital deformity;;

(b) for regulation 7 there shall be substituted-

**"Fees**

7.—(1) For the purposes of section 20 of the Act (which authorises local authorities to charge such fees as may be prescribed) there are prescribed the fees specified in Schedule 2 in respect of the performance of their functions under the Act.

(2) No fee shall be charged under Schedule 2 where the operations consist solely of the alteration or extension of a building to provide facilities (including in particular

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(a) 1959 c.24; section 2(4) was substituted by the Local Government (Scotland) Act 1973 (c.65), Schedule 15, paragraph 3(b); section 20 was substituted by the Housing (Scotland) Act 1986 (c.65), section 19(6); section 29(1) contains a definition of "prescribed" relevant to these Regulations.

(b) S.I. 1981/1499.

(c) S.I. 1981/1596, as amended by S.I. 1982/1878, 1984/1660, 1986/1278 and 1987/1231.

means of access to and within the building) to secure the health, safety, welfare or convenience of disabled persons who will frequent, or, in the case of a building in occupancy sub-group A1 or A2 of the building standards regulations, who inhabit, or are about to inhabit the building.”;

- (c) in regulation 45 for the words “the business of local authorities” there shall be substituted the words “the performance of their functions under the Act by local authorities”.

New St. Andrew's House, Edinburgh  
10th July 1987

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State,  
Scottish Office

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#### EXPLANATORY NOTE

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

These Regulations make certain amendments to the Building (Procedure) (Scotland) Regulations 1981. The principal change is the amendment of regulation 7 which provides for the exclusion from liability for building warrant fees of applications in respect of alterations or extensions of buildings to provide facilities for disabled persons.

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