
STATUTORY INSTRUMENTS

1992 No. 1653 (S.157)

HOUSING, SCOTLAND

The Housing (Relevant Works) (Scotland) Regulations 1992

<i>Made</i>	- - - -	<i>3rd July 1992</i>
<i>Laid before Parliament</i>		<i>16th July 1992</i>
<i>Coming into force</i>	- -	<i>6th August 1992</i>

The Secretary of State, in exercise of the powers conferred on him by section 170(2) of the Local Government and Housing Act 1989(1) 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 Housing (Relevant Works) (Scotland) Regulations 1992 and shall come into force on 6th August 1992.

Interpretation

2. In these Regulations, the following expressions have the meanings respectively assigned to them:—

“disabled” means substantially handicapped by illness, injury or congenital deformity;

“elderly” means a person aged 65 or over;

“house in a state of serious disrepair” includes a house which, although not in a state of serious disrepair, is in need of repair and likely to deteriorate rapidly or cause material damage to another house, if nothing is done to repair it;

“improvement”, in relation to a house—

(a) includes—

(i) alteration and enlargement;

(ii) any works of repair or replacement needed for the purpose of enabling the house to attain a good state of repair; and

(iii) in relation to a house for a disabled owner or occupier, the doing of works required to make it suitable for his accommodation, welfare or employment; but

- (b) does not include works specified in a notice under section 162 of the 1987 Act (which empowers a local authority to require the provision of means of escape in the case of fire in a house in multiple occupation) or works required in connection with works so specified,
- and “improved” shall be construed accordingly;
- “standard amenities” are those amenities set out in Schedule 1 to these Regulations;
- “tolerable standard” has the meaning set out in Schedule 2 to these Regulations; and
- “the 1987 Act” means the Housing (Scotland) Act 1987(2).

Relevant works

3. The following are the relevant works for the purpose of section 170(1) of the Local Government and Housing Act 1989:—

- (a) works which shall provide the house with all the standard amenities;
- (b) works which shall cause the house to be brought up to the tolerable standard;
- (c) work required for the improvement of houses;
- (d) works necessary to repair a house in a state of serious disrepair;
- (e) works which shall improve or adapt the house of an elderly owner or occupier where without such works the house would be unsuitable for that owner’s or occupier’s continued use; and
- (f) works which shall improve or adapt a house where without such works an elderly or disabled person, who is not the owner or tenant of the house but who lives or proposes to live there, could not be cared for there.

St. Andrew’s House,
Edinburgh
3rd July 1992

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

SCHEDULE 1

Regulation 2

STANDARD AMENITIES

- (a) Fixed bath or shower;
- (b) hot and cold water supply at a fixed bath or shower;
- (c) wash-hand basin;
- (d) hot and cold water supply at a wash-hand basin;
- (e) sink;
- (f) hot and cold water supply at a sink;
- (g) water closet.

SCHEDULE 2

Regulation 2

A house meets the tolerable standard if the house—

- (a) is structurally stable;
- (b) is substantially free from rising or penetrating damp;
- (c) has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- (d) has an adequate piped supply of wholesome water available within the house;
- (e) has a sink provided with a satisfactory supply of both hot and cold water within the house;
- (f) has a water closet available for the exclusive use of the occupants of the house and suitably located within the house;
- (g) has an effective system for the drainage and disposal of foul and surface water;
- (h) has satisfactory facilities for the cooking of food within the house; and
- (i) has satisfactory access to all external doors and outbuildings.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the works (“the relevant works”) in respect of which local authorities can provide to owners or occupiers of houses professional, technical and administrative services.

The works prescribed are for—

- (a) the provision of the standard amenities, (defined as in Part I of Schedule 18 to the Housing (Scotland) Act 1987);
- (b) bringing houses up to the tolerable standard, (defined as in section 86(1) of the Housing (Scotland) Act 1987);
- (c) the improvement of houses, (“improvement” being defined along the same lines as in section 236 of the Housing (Scotland) Act 1987);

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

- (d) repairing houses in a serious state of disrepair;
- (e) making houses suitable for continued occupation by elderly owners or occupiers; and
- (f) improving or adapting houses for elderly or disabled people who although neither owners nor occupiers live or intend to live there.